Bombay Gazette.

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VOLUME XLVI.] SATURDAY, JANUARY 24, 1835. [No. 2,454.

Racket Court AND *BILLIARD ROOMS* ON THE ESPLANADE.

COWASJEE MUNCHERJEE AND CO. respectfully beg leave to acquaint the Gentlemen of the Presidency, and those who may arrive from Outstations, that they have taken the *Racket Court and Billiard Rooms on the Esplanade*, which will be reopened onthe 1st proximo; and, in soliciting the patronage of a liberal public, they pledge themselves that it will be conducted on such principles as to ensure satisfaction.—Dinner, Tiffin, &c. &c. provided at the shortest notice. Further particulars will be made known at the Rooms, from the 26th instant, where the rules and charges are exhibited.

BOMBAY, *24th Jan.*, 1835.

THE NEW BOMBAY DIRECTORY FOR 1835.

UPWARDS of two thirds of the Subscribers to the above publication having requested that it be carefully corrected up to the 31st Dec. last inclusive, the Compiler begs to intimate that this suggestion has been attended to; his object being rather to be the medium of conveying correct information at a late date, than what may bear a different character at an earlier period. The *Directory* is now in the Press, and it is expected that it will be ready for delivery by the end of the month.

COLABA, *24th Jan.*, 1835.

MEYAJEE AHMEDBHOY begs leave most respectfully to inform the Ladiesand Gentlemen, that he has removed his Millinery Shop into the Premises adjoining to Messrs. Dirom, Carter and Co's. Office, and next door to Eduljee Cursetjee's Sons' Auction Rooms.

BOMBAY, *24th Jan.*, 1835.

BILLS ON LONDON.

BILLS of the *Royal Bank of Scotland*, at 30 days sight, on THOMAS COUTTS and Co. of London, may be had on application to the undersigned, in setts of £150, £200, £300, £400, and £500, at the Exchange of 1s. 10½d. per Bombay Rupee, until further notice; and from parties at Outstations, Remittances on the Civil or Military Pay Offices of Bombay will be received in payment thereof.

RITCHIE, STEUART & CO.

BOMBAY, *24th Jan.*, 1835.

FOR SALE.—Marryat's Signals,.....Rs. 2
Respondentia Bonds, each.. „ 1
Ships Articles..... „ 2
Policies of Insurance,..... „ 1
Bills of Exchange per set, qrs. 2
Interest Bonds,..... ....„ 2
Bills of Lading..... .....„ 2
Powers of Attorney, each ....„ 2

☞ Orders for Letter Press, and Copper Plate Printing, punctually attended to.

GAZETTE OFFICE, *24th Jan.*, 1835.

For London, touching at Ceylon.

THE fine teak-built Ship "PALMIRA," of 700 Tons, WILLIAM LOADER Commander: will sail on the 31st inst., and under positive engagement not to remain longer at Ceylon than *eight* days. For passage only, apply to Captain *Loader*, at the Office of *McGregor, Edmond and Co.*

BOMBAY, *24th Jan*, 1835.

Passage to the Cape of Good Hope.

THE Barque SOOBROW, Burthen, 250 tons, WILLOUGHBY SMITH Commander: will sail for the above port on or before the 8th of next month, and has good accommodations for a few Passengers.—Apply at the Office of Messrs. *Owen and Co.*, or to the *Commander* on board.

BOMBAY, *24th Jan.*, 1835.

NOTICE.

Memorandum of the gross quantity of Opium, for which passes have been granted from Bombay and Malwa.

BOMBAY.

Passes taken out up to the 14th instant, chests [illegible]
Ditto from 15th instant to this day..... ..... " 391

Chests 4,014

MALWA.

Passes taken out up to the 31st ultimo.....chests 212
Ditto ditto on 2nd and 3rd instant..... 30

Chests 242

J. TAYLOR,
Warehousekeeper.

Bombay, 21st January, 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT

Bombay Castle, 14th January, 1835.

No. 37 of 1835.—J. G. Moyle esqr., 2nd member of the medical board, is allowed a furlough to the Cape of Good Hope, for a period of two years, for the benefit of his health.

The following temporary arrangements are made:—

Superintending surgeon G. Smyttan, to act as 3rd member of the medical board, during the absence of surgeon Moyle, on leave to the Cape of Good Hope.

Surgeon A. Henderson, to act as superintending surgeon, *vice* Smyttan.

Surgeon R. Pinhey, to act as surgeon of the European general hospital, *vice* Henderson.

Surgeon C. Downey, to be acting garrison surgeon, *vice* Pinhey.

Bombay Castle, 15th January, 1835.

No. 38 of 1835.—The following native promotions are made:—

17th regiment native infantry.

Havildar Shaik Hossein to be jemedar, *vice* Gopal Jewajee pensioned.—*Date of rank*—7th Decr. 1834.

Havildar Narrinah to be jemedar, *vice* Canmetter Sunkermetter pensioned.—*Date of rank*, 7th Dec. 1834.

No. 39 of 1835.—The following temporary arrangements are confirmed:—

Lieutenant W. J. Morris, of the 9th regiment native infantry, to act as interpreter, and ensign W. Browne, to act as quarter master to the 12th regiment native infantry, from the date of the departure of the late lieutenant Lawrie, for the presidency.

No 40 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, that the gratuitous issue of one pair of shoes annually, to each European soldier of the Hon'ble Company's service, under this presidency, sanctioned under general orders dated the 16th of October 1833, No. 573, be commuted to an annual allowance of rupees two (2) to each soldier. The allowance will be drawn agreeably to the returns prepared for the annual supply of clothing.

Bombay Castle, 19th January 1835.

No. 41 of 1835.—The following promotions are made:

Ordnance department.

Sub-conductor John Beard to be conductor, and store and park serjeant Richard Hill to be sub-conductor, in succession to Proctor proceeded to Socotra.—*Date of appointment.* 24th Dec. 1834.

No. 42 of 1835.—Captain T. Roe, of the 12th regiment native infantry, is allowed a furlough to Europe, for three years, agreeably to the regulations.

No. 43 of 1835.—Captain H. Corselis, of the 18th regiment native infantry, is appointed commissariat agent at Kullaghee.

No. 44 of 1835.—The following native promotion are made.

2nd or grenadier regiment native infantry.

Jemedar Yenkut Rao to be subedar, and colour havildar Lutam Sing to be jemadar, in succession to Ratnojee Powar pensioned.—*Date of rank.* 1st Jan. 1835.

Jemedar Emaum Buckus to be subedar, and colour havildar Gunga Sing to be jemedar, in succession to Antonio de Souza pensioned.—*Date of rank.* 1st Jan. 1835.

Havildar Rickye Sing to be jemedar, *vice* Ramjee Ellojee pensioned.—*Date of rank.* 1st January 1835.

No. 45 of 1835.—Captain F. P. Lester, commissary of ordnance of the Poona division of the army, is allowed leave of absence from the 15th to the 20th instant, to proceed to the presidency, on private affairs.

No. 46 of 1835.—Lieutenant E. Winch is, 3rd assistant commissary general at Ahmednuggur, is allowed leave of absence from the 16th instant, to the 10th proximo, to proceed to the presidency, on private affairs, captain Chalmers of the 4th regiment native infantry, is permitted to conduct his duties, during his absence, on his responsibility.

No. 47 of 1835.—The following promotion is made:—

15th regiment native infantry.

Ensign F. C. Wells to be lieutenant, *vice* Annesley deceased.—*Date of rank.* 6th January 1835.

Senior unposted ensign T. W. W. Whitaker, to rank from the 6th January 1835, and to be posted to the 15th regiment native infantry, *vice* Wells promoted.

No. 48 of 1835.—The following temporary arrangements are confirmed:—

Lieutenant R. St. John, of the European regiment, to act as brigade major at Poona, during the absence of captain Urquhart, on leave to Bombay.

Lieutenant H. Macan, of the 17th regiment native infantry, to act as interpreter in the Hindoostanee and Mahratta languages to the left wing of the 3rd regiment light cavalry, from the 2nd instant.

No. 49 of 1835.—Lieutenant F. Wemyss is appointed to act as adjutant and quarter master to the engineer corps at Seroor, during the period lieutenant Goodfellow may be in charge of the corps.

By order of the Right Honorable the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 15th January 1835.

No. 3 of 1835.—The following promotion is made:—

Mr. midshipman F. Whitehouse, to be lieutenant, *vice* Wyvard deceased,—Date of rank, 2nd January 1835.

By order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

CIVIL APPOINTMENTS, &c.

TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle, 19th January 1835.

Mr. H. B. E. Frere, to be assistant to the principal collector of Poona.

Mr. Samuel Mansfield, to be assistant to the principal collector in the Southern Mahratta Country.

Mr. R. G. Chambers, acting first assistant to the principal collector of Surat, is placed in permanent charge of the pergunnahs of Oodpar and Khooraad.

Mr. R. Keays, acting fourth assistant to the principal collector of Surat, is placed in permanent charge of the pergunnahs of Bulsar, Parnera and Bugwara.

Mr. T. H. Baber, principal collector of Dharwar, is permitted to proceed on deputation, into the districts, from the 7th instant.

Mr. R. C. Money, acting sub-collector of Sholapoor, took charge on the 3rd instant.

Bombay Castle, 20th January 1835.

Mr. E. Burton, assistant to the principal collector of Poona, is attached to the sub-collectorate of Sholapoor.

Bombay Castle, 21st January 1835.

Mr. S. Mansfield, assistant to the principal collector of Dharwar, is allowed to remain at the presidency, for a period of one month.

Mr. W. J. Hunter, first assistant to the collector at Runnageeree, is allowed a further extension of leave for one month.

Mr. C. Lush, superintendent of the botanical garden at Dapooree, has authority to proceed on duty, to the cotton farm near Darwar, via Tellicherry, and the Wynaad country.

JUDICIAL DEPARTMENT.

Bombay Castle, 20th January 1835.

Mr. H. Hebbert is appointed acting clerk to the court of petty sessions, during the absence of Mr. Goodwin on sick certificate.

Mr. W. Birdwood, assistant judge and session judge of the Conkan, is appointed acting assistant judge and session judge of Ahmedabad, and Mr. E. Chalmer, is appointed acting assistant judge and session judge of the Conkan.

Bombay Castle, 21st January, 1835.

Mr. Edward Grant, judge and session judge of Ahmedabad, is permitted to proceed to the Cape of Good Hope, for the recovery of his health, for a period of eighteen months, including the month's leave granted him under the XIV section of the absentee regulation, on the 14th instant.

Mr. J. A. Shaw, is appointed acting judge and session judge of Ahmedabad, and Mr. B. Hutt is appointed acting assistant judge and session judge of the Conkan for the detached station of Ruttnagherry.

By order of the Right Hon'ble the Governor in Council,
L. R. REID, Secy. *to Govt.*

POLITICAL DEPARTMENT.

Bombay Castle, 16th January 1835.

The leave of absence granted to the political agent in Kattywar, on the 5th ultimo, is granted under section XIV of the absentee regulations.

Bombay Castle, 19th January 1835.

Mr. Henry Hebbert, to be deputy secretary to government in the Persian department.

GENERAL DEPARTMENT.

Bombay Castle, 21st January, 1835.

The Right Honorable the Governor in Council has been pleased to grant doctor Straker, civil surgeon at Ahmednuggur, leave of absence to visit the presidency, for the period of one month.

The Right Honorable the Governor in Council has been pleased to appoint lieutenant H. B. Turner, assistant to the mint engineer, superintendent of repairs and surveyor of building without the limits of the town of Bombay.

The Right Honorable the Governor in Council has been pleased to appoint Captain J. M. Shortt, superintendent of police, to be collector and assessor of house tax without the limits of the town of Bombay, and assessor of wheel tax.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 20th January 1835.

The Right Honorable the Governor in Council has been pleased to grant the reverend R. Ward, A. M. chaplain of Cirkee, an extension of the leave of absence granted him under date the 2nd instant, from the 5th to the 20 proximo.

By order of the Right Hon'ble the Governor in Council,
W. H. WATHEN,
Sec. to Govt.

CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—In my last letter I spoke of some of the nuisances which exist in the native Town and the necessity for having them removed. As these matters will, however, come within the province of the Board of Conservancy, my present letter is intended to put you in possession of the principles (so far as I can gather them) upon which that Board is to be established, that you and the public may be enabled to judge whether the means are suited to the end. Nor must I be considered premature in now bringing them to your notice. If any remarks I may throw out, or suggestions I may make, can go to improve those principles, I shall have done a service. Those whose duty it is to frame rules on those subjects are not, at all times, the best informed on them. The Press points out the grievance and may prescribe the remedy. You are of course to take the account I now give with every allowance for information got at second hand; and now to the particulars;

1st. The Government are to appoint a Board of conservancy which is to consist of an English and Native member of the Bench of Justices.

To this 1st resolution there is an objection. Of whom is the Bench of Justices constituted? I believe, of the English Gentlemen who sit on that Bench, and of those who are not servants of the Company, there are few or none who have not so much business of their own to attend to, as would render it impossible for them to devote any thing like sufficient time to the duties of the Board of Conservancy. The office will, if I mistake not, be one of the most onerous on the Island—at least the doing of the duties properly, would make it so. If then I am right in this, there is one portion of the English members of the Bench disposed of; and I now come to the next and remaining portion.—I mean those already holding Government appointments as uncovenanted servants. It need scarcely be pointed out that there are few or no sinecures now enjoyed in Bombay. Of all the uncovenanted servants of the Company who are members of the Bench, there is scarcely one whose whole time is not fully occupied with his own immediate office, or should be so—From among them, then, it is impossible to get one who can devote sufficient time to the duties of the Board. Is there any class on that Bench which does not come under the two distinctions I have drawn? If not, then it is a mockery to call on them to perform the duties. With regard to the Native Justices can they afford to devote their time to the service of the public?

2. To hear and determine on all complaints regarding the assessment, and against persons who may be in arrear in the payment of House Tax.

As to this head, there is not much to be said. It however shews that the Office will be no sinecure, and confirms the remarks made under Head 1st. But why should they be an irresponsible body? Is there to be no appeal from their judgement? Their duties are conflicting. They are at the same moment accusers and Judges. That cannot work well. No men ought to be placed in a situation so embarrassing.

3. They are to receive Contracts and Estimates for watering the streets and carrying on other improvements, and the Bench of Justices are to authorise such disbursements as the Board shall recommend.

This is a proper regulation. As it now is, the Bench are in comparative ignorance of what is required, and where the responsibility is so much divided, not much care or attention can be expected.

4. To keep standard weights and measures, and sell them to Dealers.

That *standard* weights and measures should be had, and that none other should be allowed to be used, is a most proper and necessary regulation; but some other plan should be adopted as to the sale, altho' if none better can be hit on it should be adopted maugre the dislike a member of the board may have to be converted into a retailer of Iron.

5. To suppress all irregularities of whatsoever description, and do all that *the whole Bench now does*, and the Bench are only to meet once a quarter.

Do all the Bench now does, in sooth, no easy task, and I must wish the said Board of Conservancy a hearty digestion after the labors of the day. I believe there are at this moment 24 English Justices and 12 Natives, who sit in rotation—in all,—thirty six; and these 2 Gentlemen composing the Board of Conservancy are to do all the duty which all that number now do! And the Bench are to meet once a quarter!—It is pretty clear those who have recommended this portion of the *thing* have not studied Mr. Owen's system of equitable distribution of labor.

6. The English member must be a person of active habits and local experience, and visit the markets at all hours and all seasons.

It is right he should be an active man, and of local experience, and of course it is necessary he should visit the markets,—but why should not his Brother magistrate take a share of the duty?

7. The English member with Overseers who are to be appointed are to bring up before the conservancy Department all the owners of Cattle brought for slaughter which may be unfit for consumption.

That the parties who may bring cattle of that description to the market ought to be punished there can be no doubt, but that the English Member or any member of the Board should be the party to bring up the offenders is, I think, a duty which no Gentleman would undertake to perform. I say nothing of the inconsistency of asking a Magistrate to go hand in hand—with an overseer to the public Market and mix in all the brawls & scuffles which may take place on the attempt to capture the unfortunate offender, or why the Englishman is selected for this delectable duty, but I may be allowed to ask with what consistency could a Magistrate sieze what may appear to him to be an offender, and then sit in Judgement on him? To make the Establishment at all effective there must be regular trust worthy Overseers appointed—men whose salaries will be such as will make it an object for them to retain their places. Let not that spirit of economy which has of late crept into every department in this Island mar a good undertaking. Those men are the proper parties to bring up the offender,—they are the proper parties to give evidence against them, and the Court can, on such evidence, convict.

8. They are to inspect the meat after it has been brought into the market, and see that it is fit for food.

This is a very excellent regulation and it is only to be regretted that the Board, as intended to be constituted, can never carry it into effect. How can two Magistrates find time to visit, every day, all the slaughter Houses in Bombay and examine all the meat that is intended for the days consumption and carry on the numberless other duties requiring their attention? But they may be gifted with the power of ubiquity like Sir Giles Rouche's bird! and thus all difficulties will of course be overcome. Here again the necessity for an efficient force of Overseers becomes apparent. The Magistrates themselves ought to visit occasionally and at times when they may not be expected, but the duties being of such importance, the burthen of them should fall on men whose especial concern it is, and who have nothing else to divert their attention from it.

9. They are to destroy bad meat, fish, & such other provisions as may enter the Market,—to prosecute Bakers for selling bad bread;—to see that meat and fish are sold no where but in the proper market;—that cattle be not killed any where but in the public slaughter Houses.

These are most salutary regulations, & I can only again express my regret that the Board as intended to be established cannot carry them into effect.—The Board also ought to have power to prosecute Bakers & Butchers and all dealers for selling articles by any other than the standard Weight—A fixed weight for bread ought to be Established, & a fixed price as often as the state of the Market will allow it.

10. And to bring to punishment all persons who shall do any thing inconsistent with the cleanliness and regularity of the public markets and slaughter Houses.

This is a power which is very properly vested in the Board, it being of course understood, that neither of the Magistrates is to be the party who prefers the complaint, as contemplated under head 7th, as it would make the Magistrate the accuser and Judge.

11. The overseers are to keep a vigilant eye over all liquor shops &ca.

A very proper rule if not abused. But when overseers may, in the exercise of their vocation, give cause of complaint, before what tribunal are they to be brought? That ought to be also provided for.

12 Th Board shall generally have power to adopt Rules for the Health & comfort of the community, and are empowered to punish by fine or imprisonment.

This Rule is perhaps objectionable unless a Check is placed on the Board. Many circumstances might operate as an inducement to the Board for the time being to prescribe Rules, which, to the community at large, might appear arbitrary, and, in some instances, might in reality be so. Such power should only be given, subject to approval of a higher power.

13 The conservancy Board to be Justices *holding that offices*; and as they are only to sit *once* at week. are to receive a certain limited [illegible] Salary named.

This outherods Herod. The two persons who are to perform *all* the duties enumerated in the above 11 heads, and are, to the bargain, to do *all* that the *whole Bench of* 36 *Justice now does*, are to be Justices *holding other offices*, and are to sit only *once* a week ! ! ! If you think any comment on this last head necessary, make it.

Your Obedient Servant,
PAUL PRY.

Bombay, January, 23*d* 1835.

EXCHANGE.

	Buy.		Sell
Six per cent Remittable Loan.....	130½		130½
First 5 percent Loan. No. 320, *a* 1st class,	108½		108
Do. No. 321, *a* 1040, 2nd class....	108		107½
Do. 1041, *a* 1040, 3rd class,.....			
Second five per cent Loan.....	110½	*at*	101
Third five per cent Loan.....	110½		110
Bills on Calcutta 30 days.....	108		107½
Bills on Madras 30 days,.....	101½		101
Canton Bills,.....	210½		210
Spanish dollars per 100, ...	221½		221
Sovereign each,.....	11		10 2/2

HIGH WATER TABLE.

Jany. 1835.	A. M.	P. M.
" 24th Saturday.....	6 30	7 13
" 25th Sunday.....	7 53	8 33
" 26th Monday.....	3 8	9 11
" 27th Tuesday.....	9 44	10 14

To Correspondents.

"*A Friend to the Jews*" and "*A Native of India*" will appear in our next.

THE GAZETTE.

SATURDAY, 24TH JANUARY, 1835.

The *Otterspool*—Richardson Master, arrived yesterday from Liverpool the 26th August.

Passenger.—J. A. Fielding.

A *Madras Male Asylum Herald extraordinary*, of the 12th inst., reached us yesterday morning by which we learn the arrival of the *Duke of Argyle* and *Wellington* from London on the morning, preceding our contemporary's issue. We republish all that has appeared to us in his extracts as important, by which it will be seen that Sir Robert Grant may daily be expected.

The *Duke of Argyle*, Captain Bristow, anchored in the roads early yesterday morning, having left Portsmouth the 8th September, and the Cape of Good Hope the 16th Nov. The following is her list of passengers.

Mrs. Robert Clerk, Miss Clerk, Mrs. Captain Sotheby; W. Hundleston, Esq., C. S. Robert Clerk, Esq. C. S. Captain Clark, 3d Regt., Capt. Sotheby, 34th Regt.; J. Kitson, Esq. Cadet Madras, and Mr. Norris.—*For Bengal*.—R. McConochie, Esq. Asst. Surgeon, Hon. C. Stewart H. M. 72d Regt. Messrs. R. T. Graham, R. Dunman and N. Staper, Cadets; Mr. Garnier, Mr. Warhope, R. N. Master Warhope, and 5 Native Servants.

By this opportunity a letter from the *Wellington*, dated Cape, 16th Nov. has been received, and with a sight of which we have been obligingly favoured. This vessel was ready to start to her hour on the 25th August; but was detained by a contrary gale till the following day, when she left Portsmouth. A S. W. gale coming on two days after forced her to bear up for Falmouth, where she lay till the 7th September. Her passage to Madeira was tedious, and her detention there 4 days; but she had a beautiful passage to the Cape where she anchored at daylight on the 13th November. The *Wellington* was to sail hence on the 50th. and may now be daily expected. The following is a list of her passengers.

Left at Madeira.—Mrs. and Mr. Sergeant and Child (late of the Madras Medical Service.) *For Cape*.—Mrs. and Miss Marshall; H. Ross, Esq., J. Stein, Esq., Captain Gardiner, R. N.; and J. Barker, Esq., *For Madras*. Mrs. Grigg, Mrs. Daniell; Misses Yates, A. Yates, Delafons, J. Delafons, Kaye, Wingrove; Capt. Clarke; Mr. Grigg, (Medical Service,) Lieutenants Massey, Harrison, Daniell, Brissett, and 5 Servant *From Cape*.—Mr. and Mrs. Underwood; Capt. and Mrs. Moberly; Mr. and Mrs. Deck; Miss Bird; 7 Children, and 10 Servants.

The *Duke of Argyle* has only brought us an *Atlas* Newspaper of the 31st August, and a short letter of the 5th Sept. from our London Correspondent. Their contents are barely of sufficient importance to call for an extra; and which we are mainly induced to issue to allay the anxiety which the prolonged detention of the expected English ships has raised.

The Shipping list of the *Atlas* for the week ending the 30th August only reports the *Wellington* as a departure within that period.

We now throw together such extracts as may display in some degree the present state of affairs in Europe, and add a copy of the Letter of our London Correspondent.

(From the Atlas, August 31.)

Opinions of the Public Journals.

WHAT HAS THE REFORMED PARLIAMENT DONE FOR IRELAND?—It was lu ended that three grand masterpieces of generalship should signalize the second reform campaign—1st, O'Connell and the demagogues of Ireland were to be terrified into decent behaviour; 2dly, the Dissenters of England were to be conciliated into good humour; and 3dly, the poor of the land were to be chastised into the habit of laying out their surplus earnings in Three per Cent. Consols against a rainy day. In two of these great objects the ministry have already miserably failed; much more misery must yet be [illegible] we fear, before the history of the ministerial speculation is told. But to Ireland and her tormentors let us confine ourselves for the present. O'Connell, the roaring beast who went about devouring the people, must needs be frightened into good behaviour; and how was that to be done? Why, by roaring a very loud and a very long note, to be sure; so a good half of his Majesty's speech was filled with "feelings of deep regret and just indignation," &c. &c. &c. But the roaring beast was not at all frightened at his Majesty's indignation, for he growled and complained of this ungentlemanly attack upon so legally ill-behaved an animal, and got twenty-five spirits as bad as himself to vote with him against that ill-advised and ill-fated passage of his Majesty's address. But he was not content with growling. Tradition tells us of a certain show-master of wild beasts who used to astonish the mob by his familiar treatment of a noble lion in his menagerie. One day he showed his head into the animal's mouth, who growled, and in a tone not so musical as usual. "Does he wag his tail?" inquired the interfied professor of natural history. "Yes," cried the terrified assembly. "Then it's all over with me, good bye," and, snap! off went his brainless pate. So was it in the bear-garden of St. Stephen's; the brute growled—the brute wagged his tail; and Lord Althorp and Co. repented them of their rashness, and too truly foresaw that it was all over with them. Yes, O'Connell wagged one joint of his forty-joined tail, and frightened Lord Althorp into the mire. The "who is the traitor?" case to which we allude is one unprecedented as we hope it will remain unparalleled, in the annals of the British Parliament; and the conduct of Lord Althorp, the primo buffo in this performance was such as no gentleman's character, out of Parliament, could possibly survive. But Parliament is omnipotent, and Parliament has decreed that Lord Althorp, who accused Mr. Shiel of conduct grossly dishonest in a legislator, and grossly disgraceful to a gentleman—Lord Althorp, who advanced and maintained his assertions on the authority of a nameless informant, but "upon his own responsibility"—that Lord Althorp, who was proved by a committee of the House to have thus asserted and made himself responsible for a charge which was "wholly untrue" and "totally and absolutely unfounded," was "an honourable man"—and that "so were they all, honourable men," who had assisted in hatching up and putting forward this miserable fabrication. Verily, the reformed Parliament hath done wonders, of which this is certainly not the least. But O'Connell was not satisfied with this first display of his powers. His malignity was insatiable, and his courage rose as that of his miserable assailants oozed through the palms of their hands! A new victim was brought upon the stage; and in the hopes of staying his stomach with a sop, the ministry, most treacherously, most wantonly, but alas most uselessly, determined to leave that noble minded victim to his fate. By acquiescing in the charge against Baron Smith, and advocating the appointment of a committee to inquire into his conduct, with a view to his removal from the bench, what did his Majesty's ministers acknowledge? We will say nothing of the justness of this charge, nor the competency of the legislative assembly thus to meddle with the details of the judicial functions of the realm; such question are beyond the thought of the reformed Parliament and the reform ministry. But to the ministry themselves, as they were implicated in this affair:—Did Mr. Littleton, when he voted for Mr. O'Connell's motion, and declared that the evidence adduced in support of it was sufficient to warrant the appointment of a committee of inquiry—did Mr. Littleton recollect that that committee was to inquire into a matter directly affecting the duties and independence of the judicial bench? But that was nothing for a reform ministry; and as it turned out, no harm was done. The reformed Parliament "marched up the hill," and appointed the committee on Thursday, the 13th of February, and then they "marched down again," having discharged the committee on Friday, the 21st of the same month. Thus was the "just indignation" of his Majesty turned to sad and unavailing lamentation before the expiration of a fortnight. But O'Connell's revenge did not end here; it went on, strengthening as it went, to the last day of the session, and outlived the political existence of the minister who assailed him, visiting the temerity of the father upon the children, and frustrating every individual effort of their miserable existence.

The Portuguese Cortes opened their session on the 15th inst. The speech delivered by Don Pedro is remarkable on two accounts—its minute and interesting recapitulation of the harassing events of the war, and of the means by which the Queen's authority finally triumphed over the vilest treachery that ever sullied the annals of the house of Braganza; and its utter obliviousness of the allies, who fought and bled in the cause, and by whose gallant devotion, the rights of the nation were declared and established. This singular and heartless stroke of ingratitude is characteristic of Don Pedro, whose indifference to the interests of his supporters has passed into a proverb amongst the French and English troops that volunteered into his service at a time when that service was full of danger, and all but hopeless. Had he paid them with punctuality, or paid them even ultimately to the full amount of their claims, or had he even extended to them, during the period of their sufferings, that consideration which their heroism deserved, he might have stood in some degree excused for treating them in the hour of prosperity as mercenaries who had flocked to his standard, and received the reward of their adventure. But the veteran Napier, and the brave fellows who fought for Donna Maria by sea and land until they expelled the traitor from her dominions, were not only condemned to submit to the sovereign contempt, and perfidious neglect of the ex-Emperor of the Brazils, but to endure privations which no subsequent recognition could adequately repay. Yet these are the men who, in the first speech of Don Pedro to his Parliament, are passed over in frigid and haughty silence. We need not anticipate the effect which this fact will produce both in England and France.

The news from Spain is a little more animated, though scarcely more satisfactory, than it has been for the few preceding weeks. The Cortes, particularly, the Chamber of Procuradores, and the Ministry appear to act with less harmony than at the opening of the Chambers. A new ministry is talked of, Count Toreno being the only one of the present cabinet likely to be a member of the new administration. The opposition of the Cortes proceed from their more liberal members, and appears to threaten danger to the Queen's government from the party of the people. Disaffection on this side would render utterly insignificant the efforts of the Carlists, and involve them in the same ruin with their enemies. We have taken great pains to trace the motions of the contending parties at the seat of war; and, although it is impossible to reconcile the conflicting accounts of victory on one side, and certain success on the other, it is very clear that foreign intervention, or a long protracted civil war, is the inevitable destiny of self-divided Spain.

SPLENDID PRESENT OF PLATE TO THE GOVERNOR OF BOMBAY.—The Jews of London have more than kept pace with those of Germany in testifying their gratitude to Sir Robert Grant, for his strenuous and able advocacy of their cause. With a handsome letter, strongly expressive of their acknowledgments, they have presented the right hon. gentleman with a splendid piece of plate, singularly appropriate to his position as Governor of one of our Indian presidencies. It is called a *paun-daun*, and is used on visits of ceremony amongst natives of rank. The *paun* or leaf with the betel-nut, is brought in upon this beautiful silver gilt salver, of large dimensions and most elaborate workmanship, of the richest style of Louis XIV.; the centre is occupied by ornamented compartments for various species, surmounted by an elegant *golab daun* or rose-water flask; a small golden shell, with spoon, is intended for attar of roses. The estimated value of this costly testimonial is 300l.

Sir Robert and Lady Grant, with their family and suite, will embark at Gravesend early on Tuesday morning on board the Buckinghamshire.

SCOTLAND.—The Broomielaw presents the novel spectacle of a barque loading for China. This vessel is the Sovereign, lately launched at Dumbarton, and belongs to Messrs. Henderson and M'Killar, of the Greenock and Sultan steamers. She will be the first vessel direct from Glasgow to China, and the second from the Clyde.

We observe, from the proceedings of the Town Council of Aberdeen on Monday last, that on the motion of Provost Blackie, 1,000 guineas are to be contributed by the city, to aid in defraying the expense of rebuilding Marischal College.

FROM OUR LONDON CORRESPONDENT.

London, Sept. 5.

Donna Francisca the spouse of Don Carlos who had assumed the title of Queen of Spain as her Husband has of King, has been for some time past very much indisposed. She resided at Alverstock Rectory near Gosport and this day a messenger has arrived with an account of her death which took place yesterday. The immediate cause of her death was a bilious attack accompanied by inflammation.

POSTSCRIPT, ONE O'CLOCK.

Since consigning the accompanying to the Press, the *Wellington* has this morning entered our roads, and a file of English papers from the 29th August to the 7th September, have been politely placed in our hands. We give the following hasty summary of their contents, to take advantage of this day's tappal.

The *Wellington* reports on the 23d September from Madeira that, "a Portuguese Man of War Schooner had arrived from Lisbon, having left on the 18th. She brings intelligence of Don Pedro being at the point of death, having been given over by his physicians. A Regency had been appointed (Saldanha, Palmella and others) and all was quiet. Don Carlos is still holding out; but according to report in a desperate state. The Portuguese Corvette *Portuenza* was wrecked in the bar of Lisbon, and 30 men drowned." The general opinion at Madeira was that Don Pedro was dead.

The *Buckinghamshire* (with the Right Hon. Sir R. Grant and family on board) was off Funchal and spoken by the *Wellington* on leaving. She left Portsmouth on the 8th September. H. M. Steamer *Dee* arrived from England bound to the West Indies, 18 *days out*.

"Despatches have been received at the Colonial Office, from the Governors of several of the West India Islands, and although no intelligence has yet arrived of the condition of Jamaica, Demerara, Berbice, and Essequibo, consequent upon the abolition of Slavery in these important colonies, our readers will be gratified to hear that, upon the whole, the prospect seems more favourable than the apprehensions of many persons interested in these possessions had led them to anticipate. It appears that at St. Christopher's, Grenada, Dominica, and Trinidad, much discontent prevailed, and there was a general indisposition among the Negro population to work under the apprenticeship system; whilst at St. Lucia, St. Vincent's, Tobago, Barbadoes, Antigua, and Bermuda, and other smaller islands, not the slightest appearance of disquietude had been manifested.

"Information was obtained in the City late this afternoon from Jamaica, of the 1st of August, the day upon which slavery ceased in the British Colonies. It does not appear that any acts of violence had been committed; the day was ushered in with much rejoicing among the well-disposed negroes; but it was strongly apprehended that at many places in the interior excesses would be committed especially as on two or three of the largest of the estates the negroes had declared themselves against the system of apprenticeship. The police, attached to the different parishes throughout the island, had received instructions to be in attendance during the day, in order to be ready to act in case of need; and the address of the Marquis of Sligo, to the negroes, requiring them to pay obedience to their masters, had been extensively circulated."—*The Observer, Sept.* 7.

Mr. O'CONNELL is pursuing the system of agitation in Ireland, and has issued another long letter from Derrinane Abbey, which we shall copy in our next.

The London Papers of the 1st September confirm the accounts we have lately had via Bombay of war between Turkey and Egypt, though the latter power is represented more as the aggressor—the insurrection in Syria having served as a cloak to cover the Pacha's designs in pouring such large bodies of troops into that country. Hostilities had not actually commenced, but Turkey deemed the opportunity favourable to avenge the insults and injuries put upon her by her "vassal," and was acting accordingly.

Sir Hussey Vivian it is stated was likely at no distant period to obtain some lucrative post in India; but its nature is not stated.

The Colonial markets were firm. Indigo at the last sale's prices; a sale of South American had gone at 8 to 4*d*. advance. There had been no declaration for the October sale, which created some anxiety. A violent discussion was going on on the subject of sales and warehousing goods by the Company.

Major Felix comes out as private Secretary to Sir Robert Grant.

Most of our readers will, no doubt, remember that, several months ago, a Committee, formed of some of the European and Native Justices of the Peace, was appointed by Government for the improvement and cleansing of the Island. Their attention has been, since the commencement of their labors, steadily directed to the examination of nuisances, the consideration of the most expedient means by which those nuisances may be removed, and a recurrence of the evil, for time to come, prevented. Amongst other matters which attracted their notice, was the very filthy state of the Beef and Mutton Markets, in which not only those articles, but Fish, Fruits and Vegetables, were sold promiscously, contaminating and polluting the atmosphere by the swarms of flies which congregated within the sheds, and exceedingly offensive to the feelings of a Hindoo who, in going to market upon a totally different errand, might find himself brought in contact, with what his religion taught him sacredly to avoid. This state of things it was proposed to remedy, by separating the different sellers, and placing them respectively in a quarter appropriated to the article in which they dealt; but it was very obvious that, however much might be done to place the markets in proper order, nothing but a rigid and unremitting superintendance could prevent them from relapsing into their former condition. In conformity with this opinion, the Committee, as we understand, have suggested the formation of a Board of Conservancy, the character of which may be partly gathered from a communication concerning its details, with which our correspondent "Paul Pry" has favored us to-day. Our Correspondent objects to the constitution of the proposed board, in the manner in which it is intended, and equally strongly do we, from a firm conviction of the necessity of persons of active and intelligent habits being placed there, upon adequate salaries, in order that they may have no pretext for exercising any other occupations. It is questionable, also, whether it would be advisable to confine the field of selection to the Bench of Justices; as men of their rank in society, from the usual nature of their pursuits, will not find much pleasure in walking up and down a crowded noisy market, jostled by fisherwomen, hawkers of prawns, and all other numberless saleable and unsaleable sweet and sour commodities which are to be found there; tormented by heat and dust, and the "most sweet voices of those interested in the vending and purchasing of provisions. If we might be allowed to suggest an improvement in the proposed system, we would say, "choose a man who will not consider himself above his business, who will be constantly in the market, with power to act there in the capacity of a

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Constable, and then, if you still wish to have a Board consisting of European and Native Members, this shall be your executive Officer; let the Board be more suitably employed in collecting information upon the different points connected with their duties, and in watching and superintending the workings of the scheme." By these means a regular and proper distribution of the duties would be made, each individual would know his share of them, and would find it, even if he were so inclined, impossible to shirk from their performance by throwing them upon any of his colleagues, while, with persons who hold offices with a divided and undefined responsibility, we too often find a verification of the saying that, "what is every body's business is no body's." The details of the plan not being as yet before the public, we are scarcely justified in commenting otherwise than hypothetically upon them; but we believe that the sketch given by our correspondent, contains the pith of what is intended to be recommended for the adoption of Government.

We are unable as yet to advert to the proceedings of the late Calcutta meeting, as the portion which we have extracted to day does not as yet complete the report, which has occupied the greater part of the pages of the *Hurkaru* for three successive days.

CALCUTTA.

THE RECENT MEETING.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

SIR,—I do not wonder that the Editor of the *Englishman* should smart at the castigation which, during his prudent absence, his elaborate article on the Charter received from Mr. Turton yesterday. If the pain of the lash had not stung him "beyond all power of face" he would have endeavoured not to betray how much he is galled, but rather to imitate the apparent insensibility which Napoleon ascribed to Talleyrand, however painfully he might be assailed. He ought to have learnt from several late occurrences, that it is as dangerous to meddle with lawyers as with thistles.

He alludes with a sort of sneering disbelief to Mr. Dickens's disclaimer of any selfish motive on the part of himself and his legal associates in taking a lead on the present occasion, as such political agitation *here* could have no object. There was no Leeds or Sheffield to be captivated, no places, and no *seats* were to be so attained. The Editor thinks proper to remark upon this, that still an advocate may acquire a great name from frequently speaking in public "and business may flow in." He may rely upon it there are advocates who might appear and speak in public every day for a whole month without the slightest chance of theseby acquiring name and reputation. But if he had not been blinded by his rage he might have recollected, that in one of the papers on Law Reform, which he *edited* only a few weeks ago, he complained that every body who had a cause in the Supreme Court endeavoured to fee either the Advocate General or Mr. Turton. Now here would seem to be abundant opportunity for speaking in public, without making any gratuitous orations, and as Mr. T. cannot well lead on both sides, he cannot expect to have more business than he is described to have already. In the case of Mr. Dickens this imputation of motives is more ingenuously absurd, as that gentleman holds a place which precludes him from practising at all, and no business whatever can "flow in" upon him.

M. D. avowed himself sensible of the meed of public applause which their strenuous exertions for the common good might receive; but this barren honour, this empty praise, unaccompanied by solid pudding, is a species of reward for which this fluppant writer has no relish, and he cannot conceive how any other men should value it.

Bengal Hur. Jan. 7.] VINDEX.

ADDRESS TO THE GOVERNOR-GENERAL.

TO THE EDITORS OF THE BENGAL HURKARU AND INDIA GAZETTE.

GENTLEMEN.—Now that the Governor General is about to return to England, I wish to enquire, whether the independent public of Calcutta propose offering any address, and if so, what may be the nature of it.

I do not allude to any valediction that may be proposed by his personal friends, for such productions are merely a tissue of common-place compliments, which his Lordship would ridicule and despise.

The address I wish to see proposed, is such as no Englishman would feel any reluctance in signing. To give his Lordship full credit for all his good acts, but at the same time, to point out those things he has left undone, which he ought to have done.

Those who have nothing to hope or fear from his Lordship's favor or displeasure, should come forward on this occasion; and we should commend in the strongest terms, those public measures that reflect lasting credit on his wisdom and humanity.

1st. The abolition of the Suttee.

2d. The abolition of flogging for civil offences.

3d. The abolition of the opium monopoly in Malwa.

4th. Reducing the expenditure of the state within its income.

5th. Raising the character of the natives, and making them eligible to the offices of Sudder Ameens, &c.

6th. Promoting Steam Navigation.

7th. Making the grand trunk road to Delhi.

8th. Opening the navigation of the Indus.

9th. Promoting the colonization of Europeans.

10th. Reducing the tax on knowledge, or the postage on letters and Newspapers.

11th. Tolerating the liberty of the Press.

These are some of his Lordship's public acts, which cannot be too highly commended. There are no doubt many more, not generally known, the records of which are hidden in the secret recesses of the Council Chamber, or partially promulgated in unpublished Minutes. But every good deed that *is* known, should meet with the strongest and warmest praise.

After this tribute, should follow a remuneration of things left undone.

1st. Not giving the liberty of the Press the sanction of law.

2d. Not making good roads and bridges from Bombay to our own presidency.

3d. Not having made a final settlement for the land revenue in the Upper Provinces.

4th. Not having abolished Persian in our Courts of law, more particularly in the Lower Provinces.

5th. Not having suspended the Hon'ble Court's Half batta Order.

6th. Not having exerted himself to modify the high duties on sugar and other *colonial* articles.

It would occupy too much time and space, to enter into a detail of all these measures. Whilst Adam's Press-law disgraces our truly oriental despotic code, I cannot believe his Lordship to be an *honest* Whig. He knows the liberty of the Press never did, and never can, injure a good cause, or a just Government; and whilst the sword of Damocles hangs over its head, it cannot be said to enjoy a liberty, which is merely *tolerated*.

His Lordship also knows the utility of good roads; why did he not pay off one crore less of our debt, and expend that sum on this imperial and imperative duty? We are no longer a Government of Merchants, and should expend some portion of the revenue for the benefit of those, from whom we receive.

A step is making towards a settlement of the land revenue in the upper provinces, by granting longer leases. But we should have the promise of security for the future, to enable the country to develop its resources; for who will sink wells, or make other improvements, merely to benefit the government?

The half batta order was unjust, and therefore unwise. It has caused a general feeling of apathy and distrust towards the government, and even in a pecuniary point of view, will prove injurious to our masters. Had the order been *prospective* the honor of the government would have remained unsullied and unimpeached, at least as far as this measure was concerned. The scale of West India duties should have been levied on sugar, &c. when the new Charter was granted. This measure of justice and policy must emanate from home, but would it not already have taken place had his lordship exerted himself?

Such are a few of the remarks I have to offer for the consideration of your mercantile and independent readers. I shall conclude with expressing my opinion, that though our Governor-General has some faults, he has many virtues. Take him for all in all, he is one of the most liberal and enlightened Governors that ever came to India: and it is my firm belief, that we shall never have a better, or one more entitled to general respect and approbation.

I am, Gentlemen, your most obdt. Sevt.,

Upper Provinces, Dec. 23.

Ibid.] *AN HONEST WHIG.*

THE PRESS PETITION.

TO THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

The Petition of the Inhabitants of Calcuttta.

RESPECTFULLY SHEWETH,—That on the 14th day of March 1833 a law, entitled a "rule Ordinance and Regulation for the good order and Civil Government of the Settlement of Fort William in Bengal, was made and passed by the Honorable the Governor-General in Council of this Presidency" and registered in the Supreme Court on the 4th of April in the same year.

That on the 5th April 1823, the Governor-General in Council was pleased to issue a Government Order or Notification in their Gazette addressed to Proprietors and Editors of Newspapers and periodical works specified in the aforesaid rule and ordinance, informing them that the publication in such newspaper or periodical publication of matter coming under any of the following heads would subject them to be deprived of their licence, that is to say.

"First. Defamatory or contumacious reflections against the King or any members of the royal family.

"Second. Observations or statements touching the character, constitution, measures or orders of the Court of Directors, or other public authorities in England, connected with the Government of India or the character, constitution, measures or orders of the Indian Governments impuguing the motives and designs of such authorities or governments, or in any way tending to bring them into hatred or contempt, or excite resistance to their orders, or to weaken their authority.

"Third. Observations or statements of the above description relative to allied or friendly native powers, their ministers or representatives.

"Fourth. Defamatory or contumacious remarks or offensive insinuations levelled against the Governor-General, the Governors or Commanders-in-Chief, the Members of Council or the judges of His Majesty's Courts at any of the Presidencies, or the Bishop of Calcutta; and publications of any description, tending to expose them to hatred, obloquy or contempt, also libellous or abusive reflections and insinuations against the public officers of Government.

"Fifth. Discussions having a tendency to create alarm or suspicion amongst the native population of any intended official interference with their religious opinions and observances, and irritating and insulting remarks on their peculiar usages and modes of thinking on religious subjects.

"Sixth. The republication from English or other papers of passages coining under the foregoing heads

"Seventh. Defamatory publications tending to disturb the peace, harmony and good order of society.

"Eighth. Anonymous appeals to the public, relative to grievances of a professional or official nature alleged to have been sustained by public officers in the service of his Majesty or the Honorable Company.

That in the same paper the Governor-General in Council of the Presidency was pleased to make known to the said proprietors and Editors his own judgment in the effect of the regulation as follows, that is to say,

"The foregoing rules impose no irksome restraints on the publication and discussion of any matters of general interest, relating to European or Indian affairs, provided they are conducted with the temper, and the decorum which the Government has a right to expect from those living under its protection, neither do they preclude individuals from offering in a temperate and decorous manner, through the channel of the public newspapers or other periodical works, their own views and sentiments relative to matters affecting the interests of the community.

"It will be the duty of the Chief Secretary to the Government, and that officer is hereby enjoined to bring to the notice of the Government, without delay, any infringement of the foregoing rules by the Conductors of newspapers or other periodical works published in the English language, and the same duty is assigned to the Persian Secretary to the Government with relation to newspapers and other periodical publications, in the languages of the country."

That on the 5th April, 1823, the said Governor-General in Council also passed a regulation for the good Government of the interior of the Presidency of Fort William in Bengal, numbered Regulation 111., and entitled a Regulation for preventing the Establishment of Printing Presses without Licence, and for restraining under certain circumstances, the circulation of printed books and papers; which being intended to operate without the limits of Calcutta, was carried so far as to prohibit the printing of any books and papers whatsoever, unless previously licenced; and also the circulation of any printed books or other papers whatsoever, if prohibited by Government.

That the preamble of the registered rule and regulation for the good order and civil government of Calcutta, recites that matters tending to bring the Government of this country, as by law established, into hatred and contempt, and to disturb the peace, harmony, and good order of Society, having of late been frequently printed and circulated in the newspapers, it is expedient to prevent such supposed mischief by regulating by law the publication of all printed books or papers published periodically; which expression "to regulate by law" meant, as plainly appears by the enactments which follow it, the prohibiting all such publications without previous licence, to be granted or withdrawn at the pleasure of Government, and without cause assigned.

That the unregistered regulation for the rest of the Presidency simply recites that it is expedient to prohibit throughout its extent the future establishment of Printing Presses, and the use of any such Presses or of Types or other materials for Printing, except with the previous sanction and licence of Government, and under suitable provisions to guard against abuse.

That your Petitioners humbly conceive that these laws, made to restrain the free expression of the thoughts of men, are unnecessary to the support of power in any country which is subject to the Crown of England,—and ruled in any degree by the maxims which ought to guide the conduct of Englishmen; that they are contrary to sound policy and to true wisdom; that they are not calculated to preserve the power of that Government, which has condescended to make use of them, but to impair it; that they are, in brief not merely useless, but mischievous, and are degrading alike to those who imposed and those who have to obey them.

That your Petitioners deem it superfluous in addressing the Governor-General of India in Council to enlarge upon the advantages that spring in *free* countries from the liberty of unlicenced printing.

That your Petitioners are fully aware of the arguments by which, in this country, in which a large native population is ruled by foreigners few in number, but superior in knowledge, these restrictions have been and may again be defended.

That these restrictions, in respect to publications in the English language, have been defended on the grounds that the member of Englishmen in this country is insignificant; that those who come hither not in the service of the East India Company, came hither by sufference and under licence, and had therefore no ground of complaint; to which your Petitioners have to answer, that the restraint upon the resort of Englishmen to this country no longer exists; that while it did exist it could in no wise justify an abridgment of the rights possessed by them in England and under its laws, because even in this country, when they did come, those laws were guarranted to them; that no question of right is insignificant, nor can its importance in principle be increased by its application to numbers; and lastly, that every Englishmen who comes to this country, although not in their service, is as strongly in erested in the just maintenance and exercise of the national power and supremacy as the body of the Proprietors composing the East India Company, or their servants themselves.

That it has never, to the knowledge of your Petitioners, been pretended even, that any danger to the existence of the English power and national supremacy could arise from the use of the English language in periodical publications, unless the preamble of the registered Regulation of the 4th April, 1823, be taken to have such meaning. That your petitioners on the contrary allege, that the number of natives of India conversant with the language of England is still deplorably small; that such knowledge has scarcely began to exist beyond the limits of Calcutta; that periodical literature is one of the readiest means of increasing the knowledge of the English language among those who already possess some, and inspiring great body of natives; while, in the present state of native education and knowledge in this presidency, it is obvious, that it never can for a very long period of time become generally enough understood to afford even a pretence for apprehending danger to the supremacy of England from its use in the periodical publications of India, even if danger can with reason be apprehended from such a source.

That with whatever greater shew of reason, danger to the supremacy of England may be considered likely to arise from publications, periodical or otherwise, in the vernacular languages of this presidency, your Petitioners cannot admit that such dangers justly a prohibition of all printing or publishing in such languages without licence.

That one of the dangers prominently brought forward by some of the ablest advocates of such restrictions, viz. the danger to be apprehended by the disseminating libels and false intelligence among the native soldiery, is likely to be diminished instead of increased by the liberty of unlicenced printing, inasmuch as the nature of the act implies that it must be done clandestinely; that it could be done as effectually if not more so by written than by printed libels or falsehoods; that its chief danger lies in the ignorance and consequent credulity of the parties addressed: that such dangers would decrease with the increase of knowledge among the native community whose better knowledge would tend to correct false impressions, and to diminish credulity; that finally the danger, if it exist, can never, by any contrivance, be fully guarded against; that the prohibition of printing without previous licence in no degree guards against it, for it is chimerical, to suppose that in cases where a strong motive exists unlicenced and secret presses could not be procured, or that seditious and mischievous falsehood, could not be clandestinely printed even at a licenced press, so as to elude detection.

That arbitrary prohibitions against the open circulation of obnoxious native publications seem most peculiary uncalled for in a country where the local Government has unlimited power in regard to the application of the existing Revenues, where Stamp duties may be applied to such publications in the interior at will, and where newspapers are still subjected to a heavy rate of postage.

That for these reasons your Petitioners humbly conceive that the existing rules and Regulations in restraint of periodical publication within Calcutta, and of all printing and publication whatsoever in the native languages, out of Calcutta and within the limits of the Presidencies of Bengal and Agra, are useless, pernicious, and ought to be abolished; and they therefore pray that the Governor-General of India in Council will be pleased to repeal the regulation of the 14th March, 1823, the regulation 111 passed on the 5th April, 1823, and to recall the government notifications published in their *Gazette* on the 5th April, 1823, respecting the Press, and on the 9th April 1807, regarding public meetings, which last notification, being expressed as follows, that is to say—The following extract from a general letter from the honorable the Court of Directors, dated the 23d June, 1825, is published for general information:—"We direct on receipt of this despatch that public notice be issued, *forbidding, under pain of our* high displeasure, any public assemblage either of our own servants or of private merchants, traders, or other inhabitants whatsoever without first obtaining the sanction of the Governor through the medium of the Sheriff for the time being; and we further direct that with the application for holding such meetings *the subjects intended* to be taken into consideration be also submitted to your previous consideration, in order that you may have it in your power to judge of the propriety of allowing the question that may be proposed to be agitated, and on no consideration whatever is the Sheriff or the officer presiding at such meetings, to allow any subject to be considered that has not been previously submitted for your consideration. We have full confidence, however, that our Governments in India will not preclude our servants or other *European* inhabitants from meeting for the purpose of expressing their sentiments whenever proper subjects are submitted for their deliberation.

Published by order of the Honorable the Governor-General in Council.

(Siged) THOMAS BROWN,
Chief Secretary to the Government.

is not only unauthorized by law but violates law and therefore claims obedience and attention from no man, and which has sometimes been acted upon in the same spirit of illegality in which it was made, without the shadow of an excuse or even a pretence of necessity, but which nevertheless public servant of Government in the situation of Sheriff may think binding upon him, and which experience has proved he cannot with safety to himself entirely overlook.

And your Petitioners further pray that your Lordship in Council will be pleased (in case of any legislative enactment becoming necessary from the repeal and recall of the Regulation and notifications aforesaid) to promulgate any proposed new Law or Regulations regarding the Press in print at such reasonable period before the passing thereof into law as may be necessary for those who are to obey such law and regulations to have an opportunity of respectfully objecting to the same if in their judgment need be; and your Petitioners pray that your Lordship in Council will be pleased to authorise such previous and reasonable publicity, although the Court of Directors have framed, and the Board of Commissioners for the affairs of India may have approved of rules framed under the 47th Section of the 3d and 4th William VI. and 85th which have committed to prescribe a mode of promulgation by which knowledge of a proposed law can be impaired to the public before its enactment. And your Petitioners further pray that in case any such new law shall be enacted that the liberty to print in any language and any kind of matters, whether periodically or otherwise, be left altogether unrestrained by the necessity to obtain a previous licence, or by any restriction other than that general liability which must attach to all for words or writing which may be found injurious either to the Government or individuals, and of which the party may be judicially convicted, by which means the Government itself will be protected from the temptation to exercise an arbitrary power too freely, and he who is accused may know beforehand what is deemed his fault, and all may profit by the example.

And your Petitioners shall ever pray &c.

Ibid.]

As our report of the proceedings at the meeting on Monday could not be got ready in time for to-day, owing to the engagements of the professional Gentleman who has taken it down, we have judged it better not to delay the publication of the Petitions even though we should have to repeat them in the body of the report. The press petition will be found in another page, that on the charter will follow to-morrow, when we hope to give the Report.

The Petition embodies the regulation to which the press on Bengal *alone* is subject, and which we repeat for the hundreth time is a disgrace to British legislation. The law itself is bad enough, but the mockery and insult of the official commentary or gloss, is infinitely more discreditable to its authors. It is recorded of a negro under punishment, that he objected to the accompanying lecture. "If you preachee, preachee but no preachee, and floggee too," said the poor creature; but the Bengal Government in the days of gagging acts and proscription, not satisfied with inflicting their tyranny, insulted its victims, with effecting to consider it a sort of well regulated freedom. Like Lord Peter in the Tale of a Tub, they would insist on our receiving their dry bread as fine mutton. The speeches of Messrs. Turton and Dickins, however, have so ably dissected the odious enactment of Mr. Adam, that we shall not now forest all their just animadversions by going into any examination of its merits. On the present occasion, we wish chiefly to refer our readers to this curious specimen of legislation with which many of them may not be acquainted. If the despots of the Continent want a model for restraining the German press, they will find it in our Adamite regulation especially that for the Mofussil. All they have done in that way is mere trifling to these Indian enactments. Of course the petition appeals for the abolition of both. The Calcutta Regulation was proposed to the Bombay Court when the judges Sir Edward West, Sir C. H. Chambers and Sir Ralph Rice all concurred in declaring it utterly repugnant to the laws of Great Britain. The two senior Judges, without any hesitation, refused to register such an Algerine Act; but Sir Ralph Rice felt some scruple about acting in opposition to the *dictum* of the Privy Council, which suffered itself to be swayed by Mr. Sergiant Spankie's subtile distinction, that the law though *præter*, was not *contra legem*. At Madras the law was not brought forward, as an impression prevailed, that the judges there also were too inteligent and too independent to register it. The actual state of the case then is, that save for the law of deportation, aplicable to Europeans only, the press of all India except Bengal has been continued free, while in that Presendency alone, a law has been suffered to exist since 1823, which places the press and the property of all connected with it, at the mercy of the *sic jubeo* of any temporary Ruler; and if as the defenders of the new Charter contend, the power of deportation is by that Act taken away, in Bengal alone is that press subject to any control but that of the libel law of England! Here the disgraceful enactment of 1823 still remains uncancelled on our Indian statute books,—an enactment of a temporary ruler in concert with a single Judge who first sanctioned it or pledged himself to sanction it and afterwards then sitting alone on the Bench to which he came armed against all arguments by a foregone conclusion, pronounced judgment in its favour! To such a law so enacted, the press is still subject, and the freedom of remark in which it indulges is as we have often said, a privilege enjoyed by sufferance and exercised in danger. Ought Lord William Bentinck to suffer that law still to disgrace Indian legislation? That is the question now before his Lordship. As to the sense of this community upon it, our distinguished Ruler can no longer be in any manner of doubt. The Petitioners of course have made no distinction between the Native and European Press. Not a single argument has ever been adduced in favor of such a distinction; but upon mere surmise of what might or could happen, the Natives ought to be excluded, according to certain writers, from a privilege to which they have an infinitely better title than those who seek to deprive them of it, and of which they would make, we believe, as they have already made, a much better use.

The exquisite edict of the Directors against public Meetings published by authority as certified by one "Thomas Brown," needs no argument for its condemnation. It never had the shadow of a foundation in law or right.—*Bengal Hurkaru, Jan.* 7.

EUROPE.

HOUSE OF LORDS,—MONDAY, AUGUST 11.

TITHES (IRELAND BILL.)

(Continued.)

The Earl of MANSFIELD said, that the subject that night under discussion was of so important a nature, that he could not avoid trespassing on their lordships with a few observations in explanation of the vote which it was his intention to give against this bill. He had endeavoured to divest his mind of all prejudices on the subject,

—he had taken into consideration all the difficulties that surrounded this important question, he had more particularly adverted to the circumstances that had attended the discussion of this measure elsewhere; and after giving the most serious attention to all these matters, he felt it his duty to reject this bill, though he was by no means insensible to the inconveniences—indeed he might say, the dangers—to which the clergy of Ireland would be exposed by its rejection. On the other hand, he saw no security for their rights and interests provided by this measure. On the contrary, it appeared to him that the yielding to injustice, which would be the case if they passed such a measure as this, would be construed into an admission that the rights of the Irish clergy were either not just, or that those rights were not sustainable, and that, in fact, it would lay the grounds for future evils. He would repeat what he had said many years ago in that house, when many events that had since occurred were then but matters for conjecture. He then said what he would now reiterate that the transference of the burden of tithes from the occupier to the proprietors of the land, variable according to the price of corn, and not variable according to the improvements of the state, was an arrangement that might be beneficially introduced in any country, and more especially in such a country as Ireland, where the majority of the people were dissenters from the established church. When tithes were converted into rent charge, he could not see upon what principle the redemption of it would be objectionable. Thus disposed, and entertaining those opinions, it might appear strange that he should oppose this bill. But, in his mind, there was in this bill a manifest departure from the principles of justice. (Hear, hear.) It should be observed, too, that that injustice was proposed to be perpetrated with regard to property and rights which were at least as sacred as any other description of property (hear, hear) and that if they should depart from the strict line of justice with respect to that property, it might lead to attacks upon property similarly situated, and eventually, perhaps, to attacks upon property of other descriptions. (Hear.) The noble lord, after going through the details of the original bill as brought forward by the right hon. Secretary for Ireland, proceeded to observe, that the amount of the deduction which even in that bill it had been proposed to make from the tithes belonging to the clergy, and which were to be converted into a rent charge, was extremely questionable. At all events, it was a point that should not be hastily decided upon, and without proper inquiry. A portion of that deduction was undoubtedly justifiable, on the grounds of the difficulties attendant upon the collections, and under any property as tithes even to exist: but it was well worthy ordinary consideration whether a portion of that deduction was not made on account of the difficulties in the collection of tithes, owing to the disturbances that prevailed in Ireland on the subject. If any portion of it was made on that account, it was obvious that there would be gross injustice in making it. (Hear.) The noble and learned lord on the woolsack had more than once of late told them that loyalty and allegiance were only due to protection. If then that protection to which they were entitled had not been afforded to the clergy of Ireland, then was no argument why a deduction should be made from their property. (Hear, hear.) The Government by doing so would be taking advantage of its own wrong, and it would be actually holding out a premium to agitation. (Hear, hear.) It was therefore a fit subject for inquiry whether the deduction proposed was evidently fair and reasonable. There was a great difference both in the principle and the spirit of the first bill,—the bill to which he had been referring, and that which was now before their lordships. The original bill made a deduction of one-fifth, and this bill added a deduction of another one-fifth in favour of the landlords, for in the first bill there was a reduction of the rent charge to four-fifths, and in this bill it was still further reduced to three-fifths. Now, looking to the nature of tithe property, he would maintain, that upon principle no deduction could be made from it in favour of the landlords. It would be said that this deduction would not be made from the property of the clergy; but he apprehended it was clear that the proposed deduction of 40 per cent. was quite in favour of the landlords. He understood that the amount of the perpetuity fund would not be so great as was expected, and they might therefore calculate upon a deficiency in that quarter to meet the demands of the clergy. If that should be the case, they would be obliged to come to the consolidated fund—that was to say, that they would be obliged, as the right rev. prelate had truly said, to come to the pockets of the people of England and Wales and Scotland to meet that deficiency. He feared that such would be the case, and he feared that in such circumstances the people of this country would rather than pay that deficiency let it fall upon the clergy; and if it did so turn out, he believed that it would only meet the expectations and fulfil the wishes of one who had been very much connected with this bill. (Hear, hear.) The avowed object of that individual would be promoted, if not accomplished by it, namely, that tithes should be divided into three parts—one-third to be appropriated for the benefit of protestants of every sect, one third to be given to the Catholics, and one third to be applied to civil purposes. He was aware that that proposition had been indignantly rejected by His Majesty's Ministers, but he must say that such a system by the operation of this bill would be greatly advanced towards being finally carried into effect. (Hear.) He thought that the clergy in opposing this bill took a just view of their own interests. He knew that in consequence of the rejection of this measure they would be exposed to great inconveniences. There was no doubt as to that. But if difficulties should arise, they must come to Parliament for relief, and he trusted that under such circumstances, when their distresses were properly laid before Parliament, they would obtain consideration and relief. (Hear, hear.) He believed that their situation would be somewhat improved by the bill which would come into operation in November next, and which would give them greater facilities for the recovery of their tithes. He should be glad if he could entertain any hope of final and satisfactory settlement of this great question. He could safely say that he should have no disposition or prejudice against any measure that would be satisfactory to the clergy and fair towards all parties, no matter from what source it might come, and certainly he should not object to such a proposition coming from His Majesty's Ministers. (Hear, hear.) He must say that the satisfactory arrangement of this question had been greatly impeded by the conduct—by the weakness—by the errors, as the noble viscount called them—and by what he (the Earl of Mansfield) would call the something more than errors of the present Administration. (Cheers.) There was not a successful combination against tithes until some time after the change of Administration in 1830. That statement he was aware had been disputed in that house, but it had been admitted in the other house by a right hon. gentleman then connected with the Government. He thought that a great deal of the success in the combination to resist the payment of tithes had been owing, and was fairly attributable, to the mistaken conduct of the Government. Their non-renewal of the Proclamation Act in the first instance, confessed as it was by themselves to be necessary, was a great mistake. Then came the unfortunate use of the words "extinction of tithes," which, though they had been explained in a manner sufficiently intelligible in that house, conveyed an erroneous impression to the people of Ireland, which impression had been afterwards confirmed in a late speech from the throne. (Hear, hear.) Then there was the prosecution against the hon. and learned member for Dublin—a prosecution which had been commenced somewhat in the spirit of vengeance, and which was afterwards without reason abandoned. The Government almost immediately afterwards conferred upon that individual a patent of precedence. He was aware that that had been defended on the grounds of justice and policy, but he must say that such a proceeding had been always considered by men of impartiality and common sense as a direct and unanguised premium for agitation. (Cheers.) What could the Protestants of Ireland expect from such a Government, acting in such a manner? (Hear.) What could the clergy of Ireland expect from such a Government,—a Government that had allowed a magistrate who had presided at an anti-tithe meeting still to continue in the commission of the peace! (Hear, hear) It was necessary for him to revert to what had occurred previous to the introduction of this measure elsewhere, in order to demonstrate the spirit in which it had been framed. The late right hon. Secretary for the Colonies seceded from the Cabinet on the grounds, as stated by himself, that Ministers had in contemplation measures affecting the security of the church: would it be said, now that this measure was before Parliament, that that right hon. gentleman was mistaken in entertaining such apprehensions? (Hear, hear.) Tardy as conviction came upon that right hon. gentleman he (the Earl of Mansfield) was glad to see it. It read a useful lesson to the country. The very first act of the Ministers after that right hon. gentleman's secession confirmed his apprehensions; they brought forward that commission, of which so much had been heard, and then they introduced this measure. Then came the late changes in the Cabinet, the occurrence of which was clearly in connexion with the conduct of the Government in reference to the Coercion Bill. To make matters still more clear, to demonstrate their animus more obviously, all arrangement was made with the hon. and learned member for Dublin, not a suspension of arms, not a treaty of peace, but an arrangement on the part of Government with that *fidus hostis* of theirs, for the purpose of enabling him to modify his own arrangements on the question. Then was this bill allowed to be altered by one who was the avowed enemy of the church. The noble lord the Chancellor of the Exchequer was beaten by him on that point, but in such a manner as showed that the noble lord did not make the resistance that he might have made upon the occasion (Hear, hear.) He (the Earl of Mansfield) did not wish to say anything harsh of His Majesty's Government, but he must say that even the most sordid love of place (which he did not attribute to them) would scarcely make others envy them the situations which they now held. (Cheers.) He wished at the same time to take that opportunity to defend noble lords on that side of the house, with whom he had the honour and the happiness to act, from imputations that had been thrown upon them. It had been attributed to some noble lords there, that they were actuated by mortified pride and disappointed ambition. (Hear, hear) If passions so base could take possession of their minds, what greater gratification could they possibly receive than to behold the degraded state to which their political adversaries had now been driven? (Cheers.) Did His Majesty's Ministers know how low they stood at this moment in public opinion? (great cheering)—that public opinion which differed from the noble earl late at the head of the Government,—that public opinion, which, more than the spirit of the age, did regulate, and ought to regulate, the conduct of public men? (Cheers from both sides of the house.) The public opinion to which he was referring was the opinion of those persons to the country who were connected, adventitiously perhaps, but generally connected with property. Of such persons, exercising their reasoning faculties, and attending to their own interests and the interests of the country at large, there did not exist in any country in the world so great a proportion as in this. It was to the public opinion of such individuals that he had been referring. It was by that opinion that the conduct of public men should be regulated, and if His Majesty's Ministers did but know what was said of them by such persons—if they did but know what thorough disgust their conduct had excited amongst them—if they did but know the effects which the withering blast of the hon. and learned member for Dublin's approbation had upon their fame, they would, if not totally reform, do their best to reform the errors into which they had fallen. (Cheers.) The first acts of the present Government had certainly been unfortunate. He trusted that they would do something to redeem their error. He, for one, would give them an opportunity for reconsidering the subject, and he believed that a large majority of their lordships would do so also, by rejecting this bill. The absurd apprehension of a collision would not prevent them doing so. (Cheers.) The House of Lords, feeling it its duty to do so, would reject this bill, and he was sure that act of theirs would be responded to by the great mass of public opinion out of doors. (Cheers.) He trusted that the expression of such an opinion on the part of that house and of the country would have due weight upon His Majesty's Ministers; and he for one would be inclined next session to give every attention to a measure on the subject, especially if it emanated from His Majesty's Ministers. At present, he discharged his duty by conscientiously rejecting this bill. He only regretted that the importance of the subject had rendered it necessary for him to trespass so long upon their lordships' attention. (Cheers.)

The LORD CHANCELLOR said he rose to occupy their lordships' attention but for a short time, while he made a few observations upon the important subject now under their consideration. After the speeches which had been delivered during the evening, all remarkable as they were for that tone of calmness and quietness with which a subject embracing such great interests should be discussed, he was sorry to find the noble earl who had just sat down depart so widely from an example thus universally and honourably set to him. Even the noble baron who had moved the amendment made a speech distinguished for its calmness and its candour, though he (the Lord Chancellor) must say that he differed from all parts of that speech except the one where the noble baron had done so much justice to all the measures of the Government during the last three years. (A laugh.) The noble baron had done so in wittingly perhaps,—perhaps he did not intend it, but it so happened that in this, as in other cases, "out of the fullness of the heart the mouth speaketh." (Laughter.) The noble baron went further, probably, than the tactics of his party would warrant on this occasion; but the tone of the noble baron's speech had been most candid and fair, perfectly well adapted to the great importance of the question, which involved interests connected with, not merely the stability of the Irish church establishment, but the very existence, certainly the subsistence, of the Irish Protestant clergy. He regretted, he repeated, that the noble earl's speech had formed so striking a contrast to that and the other speeches that had preceded his in the course of this discussion. On such a subject as the present he should have thought it impossible for any reasonable man to be carried so away by party feeling as the noble earl who last addressed the house. On so important a question, demanding the most calm and deliberate attention, to have flown off from the immediate subject, to have digressed from it and mixed up with its consideration every party topic, and made a speech personally directing against Ministers and on extraneous matters rather than in reference to the bill before the house—to have acted in his manner, as the noble earl did, had very much surprised him (the Lord Chancellor) and disappointed the expectations which he entertained from the previous conduct of the noble person who had just sat down. He would take leave to deviate from the example set by the noble earl in this respect, and would abstain from following the noble lord into the party and personal topics in which he had indulged, and rather attempt to recall their lordships' attention to the important subject now before them, in preference to meandering with the noble earl through all the foreign and irrevalent matters introduced in the course of his address. He wished to appeal to their lordships' calm and dispassionate judgments, in reference to the merits of the present measure setting aside all extraneous topics, he called on the house, in mercy to that suffering body, the Irish clergy, to pause before rejecting this bill, though he feared, and knew from what the noble earl had said, that he called in vain; nevertheless, as prudent, discreet and dispassionate men, he called upon their lordships' to pause. As respected the merits of the measure he agreed with his noble friend at the head of the Government, that there was no real difference of principles between the bill now under consideration and that originally pronounced by Ministers. The principle of the original measure was to throw the burden of tithes on the landlords, and to terminate the conflict existing between the tithe owner and the peasantry. This was to be done sooner or later, but, at the latest, the object would be effected at the end of a period of five years. Such was the principle of the original bill, and the main alteration in the present measure was one which threw the burden on the landlord immediately, instead of waiting till a certain period had elapsed previously to adopting that course. That was no change in the principle of the bill, but it was, he begged to state, a very great improvement. He came next to the authorship of the measure. If it were said that the persons who proposed or supported it, were individuals of very questionable authority on such matters, he answered that one gentleman, a right hon. baronet, who was an undeniable friend to the established church in England and Ireland, had ridiculed the proposition to postpone the payment for so many years as was originally intended, and plainly said that it would be infinitely better, supposing the principle be adopted, if the charge on account of tithes were made payable by commission at once. (Hear.) He agreed with his noble friend at the head of the Government as to the comparative advantages of this bill over the present law as regarding the condition of the Irish clergy. What was the situation of that body? The Irish clergy had now a right to 100 per. cent. tithe, having their tithe past doubt by law; but there happened to be what was called by lawyers a severance between the tithe and the possession (hear, hear), and the same person who had an undoubted right to 100 per. cent. was often in a situation which required him to combat for merely a moderate portion of his demand. He was out of possession, he had the law with him, and the fact against him. When the state of things existed, lawyers were aware that an ounce of fact was worth a pound of law, and no men felt the truth of the maxim more than the owners of Irish tithe. (Hear, hear.) What was it that Government had done in framing the measure originally, and in afterwards improving it? They said to the Irish tithe-owners, "Instead of standing on your strict right at 100 per. cent. which we know the difficulty, nay the impossibility, of enforcing, causing, as the attempt to obtain it does, bloodshed, every species of misery, disturbance, and civil broils, instead of aiming at what it is admitted you cannot get, and that you if were even to get for one year would next year be most insecure and precarious—instead of this, why not give something for the sake of security and peace, for the means of collection and as a saving of the present cost of collection?" Instead of 100 per. cent. you shall have 77*l.* 10*s.*, 20 per cent. for security, and 2*l.* 10*s.* for the cost of collection." That was what the bill said. How many of their lordships' were there who happened to be so felicitously circumstanced as owners of estates, that they would not gladly make such a composition, if they were perfectly certain that as soon as a given day came their rents would be paid in paper as good as gold at the office of the Woods and Forests, without risk of bad debts or expense of collection? How many of their lordships with 100,000 a year of nominal rent, which they were not in actual possession of—how many of them were there who would not think it a good compromise, a most excellent bargain, to receive 77,500*l.* as regularly as the clock struck, in half-yearly payments, in good paper, convertible into gold? (Hear.) It was clear that the church would be benefited by the present measure. "But," said the noble earl who had last addressed the house "how is the landlord to obtain re-payment of the advances which he will make from his tenants?" The answer to this question was extremely simple—if the landlord collected his rent at present, he would be able to collect it in future, augmented by the advances on account of tithe. He was decidedly of opinion that the measure would be of great benefit to the Irish church, and that the Irish clergy would do unwisely and ill, not merely in rejecting but in hesitating to accept it. But he was told that it was not so much the measure itself as its supposed author that was objected to. Were the bill ever so good, ever so advantageous to the interests of church and state, it mattered not, so long as it proceeded from a suspected source. The benefits of the measure only regarded the merits of the case, and the duty of the Government in proposing, and of the Legislature in passing or rejecting it. Those were simple considerations, according to the noble earl, who said that the main thing for their lordships to bear in mind was not whether the measure was bad or good, but how and by whom it was proposed. If the bill had been proposed by Ministers, said the noble lord, with overflowing candour and an extreme degree of kindness and compassion, the noble lord having now some one in view whom he hated even more than His Majesty's Ministers (laughter)—if the measure were only brought forward by Government, or if they would bring it back to the state in which it was when they first introduced it into Parliament, I promise to withdraw all opposition as regards it. ("Hear," and a laugh.) Oh that we had the noble lord always in this benignant mood! (Laughter.) Oh that we could be sure all the noble lord wanted was to be satisfied that we were proposing our own measures for the approbation of Parliament! Oh (continued the noble and learned lord) what reforms I should rejoice to see introduced in the next session if this happy, and candid, and liberal disposition of the noble lord were to continue, and if it were not to be secured in the interval! (Laughter.) I pledge myself that no human being should know a tittle of anything—that the measures to be introduced to your lordships should be entirely and exclusively the measures of His Majesty's Government—that your lordships should have Ministerial measures, the whole Ministerial measures, and nothing but Ministerial measures. (Renewed laughter.) I am afraid, however, that the noble baron's kind disposition will not continue till the month of January or February next, before which time, will all my respect for your lordships. I assure you I have not the slightest wish to meet you here. (A laughter.) He would not speculate however on what might have been the conduct of certain parties if no alteration had been made in the measure originally proposed by Government in the House of Commons. At the same time, he must say that he could not help thinking that even in that event, a few words might have been uttered in their lordships' house, and that the discussion of the measure would not have been quite so easy and undisturbed in the present, as it now seemed from the noble baron's declaration they must be in the preterpluperfect tense. ("Hear" and laughter.) What a man did—what language he held—what course he adopted in a given case, we knew; but what he would or could have done in a contingency, or under circumstances of a different nature, it was impossible to tell.—perhaps the individual himself did not always know. (A laugh.) He repeated he had a strong suspicion, even if no change had been made in the bill in the other house, that they should, nevertheless, have had some words on the second reading in the lords, and a little discussion in committee, provided the measure had reached that stage. ("Hear," and laughter.) He said this the rather because he had not heard a single word against the bill to which the original measure would not have been equally obnoxious. Then, forsooth, a measure was to be passed or rejected, embraced with open arms or repudiated with contempt and fury, not according to its own merits, but on the merits of an individual who had proposed one or two material alterations, and, as he (the Lord Chancellor) thought, amendments in the bill. Their lordship had heard a little about degraded public men—base Ministers, who were sunk low in public opinion, and who ought to be degraded and humiliated in their own eyes; but he could not fancy a more humiliating posture than that of individuals who admitted that a certain man had only to propose a thing, however good or desirable, to make them reject it unconditionally, and without reference to its intrinsic merits. Let an objectionable person say "You profess to be friends of the Irish clergy, confer upon them a boon," and straightway those wise and dispassionate individuals would refuse to confer such boon because of its suspected proposer. (Hear.) A man whom you disliked had only to say "Save the country from civil war," in order to make you reject the suggestion. The answer of this class of legislators and politicians was ready and simple; it was this—Am I to degrade myself by taking a leaf out of Mr. O'Connell's book—shall I permit him to dictate to me?" Ah, but he did dictate to you, and the only difference between you and those who were willing to take the benefit of a hint from Mr. O'Connell, when the suggestion appeared beneficial,

Constable, and then, if you still wish to have a Board consisting of European and Native Members, this shall be your executive Officer; let the Board be more suitably employed in collecting information upon the different points connected with their duties, and in watching and superintending the workings of the scheme." By these means a regular and proper distribution of the duties would be made, each individual would know his share of them, and would find it, even if he were so inclined, impossible to shirk from their performance by throwing them upon any of his colleagues, while, with persons who hold offices with a divided and undefined responsibility, we too often find a verification of the saying that, "what is every body's business is no body's." The details of the plan not being as yet before the public, we are scarcely justified in commenting otherwise than hypothetically upon them; but we believe that the sketch given by our correspondent, contains the pith of what is intended to be recommended for the adoption of Government.

We are unable as yet to advert to the proceedings of the late Calcutta meeting, as the portion which we have extracted to day does not as yet complete the report, which has occupied the greater part of the pages of the *Hurkaru* for three successive days.

CALCUTTA.

THE RECENT MEETING.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

SIR,—I do not wonder that the Editor of the *Englishman* should smart at the castigation which, during his prudent absence, his elaborate article on the Charter received from Mr. Turton yesterday. If the pain of the [illegible] "beyond all power of face" he would have endeavoured not to betray how much he is galled, but rather to imitate the apparent insensibility which Napoleon ascribed to Talleyrand, however painfully he might be assailed. He ought to have learnt from several late occurrences, that it is as dangerous to meddle with lawyers as with thistles.

He alludes with a sort of sneering disbelief to Mr. Dickens's disclaimer of any selfish motive on the part of himself and his legal associates in taking a lead on the present occasion, as such political agitation *here* could have no object. There was no Leeds or Sheffield to be captivated, no places, and no *seats* were to be so attained. The Editor thinks proper to remark upon this, that still an advocate may acquire a great name from frequently speaking in public "and business of course flow in." He may rely upon it there are advocates who might appear and speak in public every day for a whole month without the slightest chance of thereby acquiring name and reputation. But if he had not been blinded by his rage he might have recollected, that in one of the papers on Law Reform, which he *edited* only a few weeks ago, he complained that every body who had a cause in the Supreme Court endeavoured to fee either the Advocate General or Mr. Turton. Now here would seem to be abundant opportunity for speaking in public, without making any gratuitous orations, and as Mr. T. cannot well lead on both sides, he cannot expect to have more business than he is described to have already. In the case of Mr. Dickens this imputation of motives is more ingenuously absurd, as that gentleman holds a place which precludes him from practising at all, and no business whatever can "flow in" upon him.

M. D. avowed himself sensible of the meed of public applause which their strenuous exertions for the common good might receive; but this barren honour, this empty praise, unaccompanied by solid pudding, is a species of reward for which this flippant writer has no relish, and he cannot conceive how any other men should value it.

Bengal Hur. Jan. 7.] VINDEX.

ADDRESS TO THE GOVERNOR-GENERAL.

TO THE EDITORS OF THE BENGAL HURKARU AND INDIA GAZETTE.

GENTLEMEN.—Now that the Governor General is about to return to England, I wish to enquire, whether the Independent public of Calcutta propose offering any address, and if so, what may be the nature of it.

I do not allude to any valediction that may be proposed by his personal friends, for such productions are merely a tissue of common-place compliments, which his Lordship would ridicule and despise.

The address I wish to see proposed, is such as no Englishman would feel any reluctance in signing. To give his Lordship full credit for all his good acts, but at the same time, to point out those things he has left undone, which he ought to have done.

Those who have nothing to hope or fear from his Lordship's favor or displeasure, should come forward on this occasion; and we should commend in the strongest terms, those public measures that reflect lasting credit on his wisdom and humanity.

1st. The abolition of the Suttee.

2d. The abolition of flogging for civil offences.

3d. The abolition of the opium monopoly in Malwa.

4th. Reducing the expenditure of the state within its income.

5th. Raising the character of the natives, and making them eligible to the offices of Sudder Ameens, &c.

6th. Promoting Steam Navigation.

7th. Making the grand trunk road to Delhi.

8th. Opening the navigation of the Indus.

9th. Promoting the colonization of Europeans.

10th. Reducing the tax on knowledge, or the postage on letters and Newspapers.

11th. Tolerating the liberty of the Press.

These are some of his Lordship's public acts, which cannot be too highly commended. There are no doubt many more, not generally known, the records of which are bidden in the secret recesses of the Council Chamber, or partially promulgated in unpublished Minutes. But every good deed that is known, should meet with the strongest and warmest praise.

After this tribute, should follow a remuneration of things left undone.

1st. Not giving the liberty of the Press the sanction of law.

2d. Not making good roads and bridges from Bombay to our own presidency.

3d. Not having made a final settlement for the land revenue in the Upper Provinces.

4th. Not having abolished Persian in our Courts of law, more particularly in the Lower Provinces.

5th. Not having suspended the Hon'ble Court's Half batta Order.

6th. Not having exerted himself to modify the high duties on sugar and other *colonial* articles.

It would occupy too much time and space, to enter into a detail of all these measures. Whilst Adam's Press-law disgraces our truly oriental despotic code, I cannot believe his Lordship to be an *honest* Whig. He knows the liberty of the Press never did, and never can, injure a good cause, or a just Government; and whilst the sword of Damocles hangs over its head, it cannot be said to enjoy a liberty, which is merely *tolerated*.

His Lordship also knows the utility of good roads; why did he not pay off one crore less of our debt, and expend that sum on this imperial and imperative duty? We are no longer a Government of Merchants, and should expend some portion of the revenue for the benefit of those, from whom we receive.

A step is making towards a settlement of the land revenue in the upper provinces, by granting longer leases. But we should have the promise of security for the future, to enable the country to develop its resources; for who will sink wells, or make other improvements, merely to benefit the government?

The half batta order was unjust, and therefore unwise. It has caused a general feeling of apathy and distrust towards the government, and even in a pecuniary point of view, will prove injurious to our masters. Had the order been *prospective* the honor of the government would have remained unsullied and unimpeached, at least as far as this measure was concerned. The scale of West India duties should have been levied on sugar, &c. when the new Charter was granted. This measure of justice and policy must emanate from home, but would it not already have taken place had his lordship exerted himself?

Such are a few of the remarks I have to offer for the consideration of your mercantile and independent readers. I shall conclude with expressing my opinion, that though our Governor-General has some faults, he has many virtues. Take him for all in all, he is one of the most liberal and enlightened Governors that ever came to India: and it is my firm belief, that we shall never have a better, or one more entitled to general respect and approbation.

I am, Gentlemen, your most obdt. Sevt.,

Upper Provinces, Dec. 23. *AN HONEST WHIG.*

Ibid.]

THE PRESS PETITION.

TO THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

The Petition of the Inhabitants of Calcuttta.

RESPECTFULLY SHEWETH,—That on the 14th day of March 1833 a law, entitled a "rule Ordinance and Regulation for the good order and Civil Government of the Settlement of Fort William in Bengal, was made and passed by the Honorable the Governor-General in Council of this Presidency" and registered in the Supreme Court on the 4th of April in the same year.

That on the 5th April 1823, the Governor-General in Council was pleased to issue a Government Order or Notification in their Gazette addressed to Proprietors and Editors of Newspapers and periodical works specified in the aforesaid rule and ordinance, informing them that the publication in such newspaper or periodical publication of matter coming under any of the following heads would subject them to be deprived of their licence, that is to say.

"First. Defamatory or contumacious reflections against the King or any members of the royal family.

"Second. Observations or statements touching the character, constitution, measures or orders of the Court of Directors, or other public authorities in England, connected with the Government of India or the character, constitution, measures or orders of the Indian Governments impuguing the motives and designs of such authorities or governments, or in any way tending to bring them into hatred or contempt, or excite resistance to their orders, or to weaken their authority.

"Third. Observations or statements of the above description relative to allied or friendly native powers, their ministers or representatives.

"Fourth. Defamatory or contumacious remarks or offensive insinuations levelled against the Governor-General, the Governors or Commanders-in-Chief, the Members of Council or the judges of His Majesty's Courts at any of the Presidencies, or the Bishop of Calcutta; and publications of any description, tending to expose them to hatred, obloquy or contempt, also libellous or abusive reflections and insinuations against the public officers of Government.

"Fifth. Discussions having a tendency to create alarm or suspicion amongst the native population of any intended official interference with their religious opinions and observances, and irritating and insulting remarks on their peculiar usages and modes of thinking on religious subjects.

"Sixth. The republication from English or other papers of passages coining under the foregoing heads

"Seventh. Defamatory publications tending to disturb the peace, harmony and good order of society.

"Eighth. Anonymous appeals to the public, relative to grievances of a professional or official nature alleged to have been sustained by public officers in the service of his Majesty or the Honorable Company.

That in the same paper the Governor-General in Council of the Presidency was pleased to make known to the said proprietors and Editors his own judgment in the effect of the regulation as follows, that is to say,

"The foregoing rules impose no irksome restraints on the publication and discussion of any matters of general interest, relating to European or Indian affairs, provided they are conducted with the temper, and the decorum which the Government has a right to expect from those living under its protection, neither do they preclude individuals from offering in a temperate and decorous manner, through the channel of the public newspapers or other periodical works, their own views and sentiments relative to matters affecting the interests of the community.

"It will be the duty of the Chief Secretary to the Government, and that officer is hereby enjoined to bring to the notice of the Government, without delay, any infringement of the foregoing rules by the Conductors of newspapers or other periodical works published in the English language, and the same duty is assigned to the Persian Secretary to the Government with relation to newspapers and other periodical publications, in the languages of the country."

That on the 5th April, 1823, the said Governor-General in Council also passed a regulation for the good Government of the interior of the Presidency of Fort William in Bengal, numbered Regulation 111., and entitled a Regulation for preventing the Establishment of Printing Presses without Licence, and for restraining under certain circumstances, the circulation of printed books and papers; which being intended to operate without the limits of Calcutta, was carried so far as to prohibit the printing of any books and papers whatsoever, unless previously licenced; and also the circulation of any printed books or other papers whatsoever, if prohibited by Government.

That the preamble of the registered rule and regulation for the good order and civil government of Calcutta, recites that matters tending to bring the Government of this country, as by law established, into hatred and contempt, and to disturb the peace, harmony, and good order of Society, having of late been frequently printed and circulated in the newspapers, it is expedient to prevent such supposed mischief by regulating by law the publication of all printed books or papers published periodically; which expression "to regulate by law" meant, as plainly appears by the enactments which follow it, the prohibiting all such publications without previous licence, to be granted or withdrawn at the pleasure of Government, and without cause assigned.

That the unregistered regulation for the rest of the Presidency simply recites that it is expedient to prohibit throughout its extent the future establishment of Printing Presses, and the use of any such Presses or of Types or other materials for Printing, except with the previous sanction and licence of Government, and under suitable provisions to guard against abuse.

That your Petitioners humbly conceive that these laws, made to restrain the free expression of the thoughts of men, are unnecessary to the support of power in any country which is subject to the Crown of England,—and ruled in any degree by the maxims which ought to guide the conduct of Englishmen; that they are contrary to sound policy and to true wisdom; that they are not calculated to preserve the power of that Government, which has condescended to make use of them, but to impair it; that they are, in brief not merely useless, but mischievous, and are degrading alike to those who imposed and those who have to obey them.

That your Petitioners deem it superfluous in addressing the Governor-General of India in Council to enlarge upon the advantages that spring in *free* countries from the liberty of unlicenced printing.

That your Petitioners are fully aware of the arguments by which, in this country, in which a large native population is ruled by foreigners few in number, but superior in knowledge, these restrictions have been and may again be defended.

That these restrictions, in respect to publications in the English language, have been defended on the grounds that the member of Englishmen in this country is insignificant; that those who come hither not in the service of the East India Company, came hither by sufferance and under licence, and had therefore no ground of complaint; to which your Petitioners have to answer, that the restraint upon the resort of Englishmen to this country no longer exists; that while it did exist it could in no wise justify an abridgment of the rights possessed by them in England and under its laws, because even in this country, when they did come, those laws were guarranted to them; that no question of right is insignificant, nor can its importance in principle be increased by its application to numbers; and lastly, that every Englishmen who comes to this country, although now in their service, is as strongly invested in the just maintenance and exercise of the national power and supremacy as the body of the Proprietors composing the East India Company, or their servants themselves.

That it has never, to the knowledge of your Petitioners, been pretended even, that any danger to the existence of the English power and national supremacy could arise from the use of the English language in periodical publications, unless the preamble of the registered Regulation of the 4th April, 1823, be taken to have such meaning. That your petitioners on the contrary allege, that the number of natives of India conversant with the language of England is still deplorably small; that such knowledge has scarcely began to exist beyond the limits of Calcutta; that periodical literature is one of the readiest means of increasing the knowledge of the English language among those who already possess some, and inspiring great body of natives; while, in the present state of native education and knowledge in this presidency, it is obvious, that it never can for a very long period of time become generally enough understood to afford even a pretence for apprehending danger to the supremacy of England from its use in the periodical publications of India, even if danger can with reason be apprehended from such a source.

That with whatever greater shew of reason, danger to the supremacy of England may be considered likely to arise from publications, periodical or otherwise, in the vernacular languages of this presidency, your Petitioners cannot admit that such dangers justly a prohibition of all printing or publishing in such languages without licence.

That one of the dangers prominently brought forward by some of the ablest advocates of such restrictions, viz. the danger to be apprehended by the disseminating libels and false intelligence among the native soldierly, is likely to be diminished instead of increased by the liberty of unlicenced printing, inasmuch as the nature of the act implies that it must be done clandestinely; that it could be done as effectually if not more so by written than by printed libels or falsehoods; that its chief danger lies in the ignorance and consequent credulity of the parties addressed: that such dangers would decrease with the increase of knowledge among the native community whose better knowledge would tend to correct false impressions, and to diminish credulity; that finally the danger, if it exist, can never, by any contrivance, be fully guarded against; that the prohibition of printing without previous licence in no degree guards against it, for it is chimerical, to suppose that in cases where a strong motive exists unlicenced and secret presses could not be procured, or that seditious and mischievous falsehood, could not be clandestinely printed even at a licenced press, so as to elude detection.

That arbitrary prohibitions against the open circulation of obnoxious native publications seem most peculiary uncalled for in a country where the local Government has unlimited power in regard to the application of the existing Revenues, where Stamp duties may be applied to such publications in the interior at will, and where newspapers are still subjected to a heavy rate of postage.

That for these reasons your Petitioners humbly conceive that the existing rules and Regulations in restraint of periodical publication within Calcutta, and of all printing and publication whatsoever in the native languages, out of Calcutta and within the limits of the Presidencies of Bengal and Agra, are useless, pernicious, and ought to be abolished; and they therefore pray that the Governor-General of India in Council will be pleased to repeal the regulation of the 14th March, 1823, the regulation 111 passed on the 5th April, 1823, and to recall the government notifications published in their *Gazette* on the 5th April, 1823, respecting the Press, and on the 9th April 1807, regarding public meetings, which last notification, being expressed as follows, that is to say—The following extract from a general letter from the honorable the Court of Directors, dated the 23d June, 1825, is published for general information:—"We direct on receipt of this despatch that public notice be issued, *forbidding*, *under pain of our* high displeasure, any public assemblage either of our own servants or of private merchants, traders, or other inhabitants whatsoever without first obtaining the sanction of the Governor through the medium of the Sheriff for the time being; and we further direct that with the application for holding such meetings *the subjects intended* to be taken into consideration be also submitted to your previous consideration, in order that you may have it in your power to judge of the propriety of allowing the question that may be proposed to be agitated, and on no consideration whatever is the Sheriff or the officer presiding at such meetings, to allow any subject to be considered that has not been previously submitted for your consideration. We have full confidence, however, that our Governments in India will not preclude our servants or other *European* inhabitants from meeting for the purpose of expressing their sentiments whenever proper subjects are submitted for their deliberation.

Published by order of the Honorable the Governor-General in Council.

(Siged) THOMAS BROWN,
Chief Secretary to the Government.

is not only unauthorized by law but violates law and therefore claims obedience and attention from no man, and which has sometimes been acted upon in the same spirit of illegality in which it was made, without the shadow of an excuse or even a pretence of necessity, but which nevertheless public servant of Government in the situation of Sheriff may think binding upon him, and which experience has proved he cannot with safety to himself entirely overlook.

And your Petitioners further pray that your Lordship in Council will be pleased (in case of any legislative enactment becoming necessary from the repeal and recall of the Regulation and notifications aforesaid) to promulgate any proposed new Law or Regulations regarding the Press in print at such reasonable period before the passing thereof into law as may be necessary for those who are to obey such law and regulations to have an opportunity of respectfully objecting to the same if in their judgment need be; and your Petitioners pray that your Lordship in Council will be pleased to authorise such previous and reasonable publicity, although the Court of Directors have framed, and the Board of Commissioners for the affairs of India may have approved of rules framed under the 47th Section of the 3d and 4th William VI. and 85th which have committed to prescribe a mode of promulgation by which knowledge of a proposed law can be impaired to the public before its enactment. And your Petitioners further pray that in case any such new law shall be enacted that the liberty to print in any language and any kind of matters, whether periodically or otherwise, be left altogether unrestrained by the necessity to obtain a previous licence, or by any restriction other than that general liability which must attach to all for words or writing which may be found injurious either to the Government or individuals, and of which the party may be judicially convicted, by which means the Government itself will be protected from the temptation to exercise an arbitrary power too freely, and he who is accused may know beforehand what is deemed his fault, and all may profit by the example.

And your Petitioners shall ever pray &c.

Ibid.]

As our report of the proceedings at the meeting on Monday could not be got ready in time for to-day, owing to the engagements of the professional Gentleman who has taken it down, we have judged it better not to delay the publication of the Petitions even though we should have to repeat them in the body of the report. The press petition will be found in another page, that on the charter will follow to-morrow, when we hope to give the Report.

The Petition embodies the regulation to which the press on Bengal *alone* is subject, and which we repeat for the hundreth time is a disgrace to British legislation. The law itself is bad enough, but the mockery and insult of the official commentary or gloss, is infinitely more discreditable to its authors. It is recorded of a negro under punishment, that he objected to the accompanying lecture. "If you preachee, preachee but no preachee, and flogee too" said the poor creature; but the Bengal Government [illegible] the days of gagging acts and proscription, [illegible] with inflicting their tyranny, insulted its victims, [illegible] affecting to consider it a sort of well regulated freedom. Like Lord Peter in the Tale of a Tub, they would insist on our receiving their dry bread as fine mutton. The speeches of Messrs. Turton and Dickins, however, have so ably dissected the odious enactment of Mr. Adam, that we shall not now forest all their just animadversions by going into any examination of its merits. On the present occasion, we wish chiefly to refer our readers to this curious specimen of legislation with which many of them may not be acquainted. If the despots of the Continent want a model for restraining the German press, they will find it in our Adamite regulation especially that for the Mofussil. All they have done in that way is mere trifling to these Indian enactments. Of course the petition appeals for the abolition of both. The Calcutta Regulation was proposed to the Bombay Court when the judges Sir Edward West, Sir C. H. Chambers and Sir Ralph Rice all concurred in declaring it utterly repugnant to the laws of Great Britain. The two senior Judges, without any hesitation, refused to register such an Algerine Act; but Sir Ralph Rice felt some scruple about acting in opposition to the *dictum* of the Privy Council, which suffered itself to be swayed by Mr. Sergiant Spankie's subtile distinction, that the law though *præter*, was not *contra legem*. At Madras the law was not brought forward, as an impression prevailed, that the judges there also were too inteligent and too independent to register it. The actual state of the case then is, that save for the law of deportation, aplicable to Europeans only, the press of all India except Bengal has been continued free, while in that Presendency alone, a law has been suffered to exist since 1823, which places the press and the property of all connected with it, at the mercy of the *sic jubeo* of any temporary Ruler; and if as the defenders of the new Charter contend, the power of deportation is by that Act taken away, in Bengal alone is that press subject to any control but that of the libel law of England! Here the disgraceful enactment of 1823 still remains uncancelled on our Indian statute books,—an enactment of a temporary ruler in concert with a single Judge who first sanctioned it or pledged himself to sanction it and afterwards then sitting alone on the Bench to which he came armed against all arguments by a foregone conclusion, pronounced judgment in its favour! To such a law so enacted, the press is ill subject, and the freedom of remark in which it indulges is as we have often said, a privilege enjoyed by sufferance and exercised in danger. Ought Lord William Bentinck to suffer that law still to disgrace Indian legislation? That is the question now before his Lordship. As to the sense of this community upon it, our distinguished Ruler can no longer be in any manner of doubt. The Petitioners of course have made no distinction between the Native and European Press. Not a single argument has ever been adduced in favor of such a distinction; but upon mere surmise of what might or could happen, the Natives ought to be excluded, according to certain writers, from a privilege to which they have an infinitely better title than those who seek to deprive them of it, and of which they would make, we believe, as they have already made, a much better use.

The exquisite edict of the Directors against public Meetings published by authority as certified by one "Thomas Brown," needs no argument for its condemnation. It never had the shadow of a foundation in law or right.—*Bengal Hurkaru, Jan. 7.*

EUROPE.

HOUSE OF LORDS,—MONDAY, AUGUST 11.

TITHES (IRELAND BILL.)

(Continued.)

The Earl of MANSFIELD said, that the subject that night under discussion was of so important a nature, that he could not avoid trespassing on their lordships with a few observations in explanation of the vote which it was his intention to give against this bill. He had endeavoured to divest his mind of all prejudices on the subject,

—he had taken into consideration all the difficulties that surrounded this important question, he had more particularly adverted to the circumstances that had attended the discussion of this measure elsewhere; and after giving the most serious attention to all these matters, he felt it his duty to reject this bill, though he was by no means insensible to the inconveniences—indeed he might say, the dangers—to which the clergy of Ireland would be exposed by its rejection. On the other hand, he saw no security for their rights and interests provided by this measure. On the contrary, it appeared to him that the yielding to injustice, which would be the case if they passed such a measure as this, would be construed into an admission that the rights of the Irish clergy were either not just, or that those rights were not sustainable, and that, in fact, it would lay the grounds for future evils. He would repeat what he had said many years ago in that house, when many events that had since occurred were then but matters for conjecture. He then said what he would now reiterate that the transference of the burden of tithes from the occupier to the proprietors of the land, variable according to the price of corn, and not variable according to the improvements of the state, was an arrangement that might be beneficially introduced in any country, and more especially in such a country as Ireland, where the majority of the people were dissenters from the established church. When tithes were converted into rent charge, he could not see upon what principle the redemption of it would be objectionable. Thus disposed, and entertaining those opinions, it might appear strange that he should oppose this bill. But, in his mind, there was in this bill a manifest departure from the principles of justice. (Hear, hear.) It should be observed, too, that that injustice was proposed to be perpetrated with regard to property and rights which were at least as sacred as any other description of property (hear, hear) and that if they should depart from the strict line of justice with respect to that property, it might lead to attacks upon property similarly situated, and eventually, perhaps, to attacks upon property of other descriptions. (Hear.) The noble lord, after going through the details of the original bill as brought forward by the right hon. Secretary for Ireland, proceeded to observe, that the amount of the deduction which even in that bill it had been proposed to make from the tithes belonging to the clergy, and which were to be converted into a rent charge, was extremely questionable. At all events, it was a point that should not be hastily decided upon, and without proper inquiry. A portion of that deduction was undoubtedly justifiable, on the grounds of the difficulties attendant upon the collection of such property as tithes even in tranquil times, and under ordinary circumstances. But it was well worthy of inquiry whether a portion of that deduction was not made on account of the difficulties in the collection of tithes, owing to the disturbances that prevailed in Ireland on the subject. If any portion of it was made on that account, it was obvious that there would be gross injustice in making it. (Hear.) The noble and learned lord on the woolsack had more than once of late told them that loyalty and allegiance were only due to protection. If then that protection to which they were entitled had not been afforded to the clergy of Ireland, then was no argument why a deduction should be made from their property. (Hear, hear.) The Government by doing so would be taking advantage of its own wrong, and it would be actually holding out a premium to agitation. (Hear, hear.) It was therefore a fit subject for inquiry whether the deduction proposed was evidently fair and reasonable. There was a great difference both in the principle and the spirit of the first bill,—the bill to which he had been referring, and that which was now before their lordships. The original bill made a deduction of one-fifth, and this bill added a deduction of another one-fifth in favour of the landlords, for in the first bill there was a reduction of the rent charge to four-fifths, and in this bill it was still further reduced to three-fifths. Now, looking to the nature of tithe property, he would maintain, that upon principle no deduction could be made from it in favour of the landlords. It would be said that this deduction would not be made from the property of the clergy; but he apprehended it was clear that the proposed deduction of 40 per cent. was quite in favour of the landlords. He understood that the amount of the perpetuity fund would not be so great as was expected, and they might therefore calculate upon a deficiency in that quarter to meet the demands of the clergy. If that should be the case, they would be obliged to come to the consolidated fund—that was to say, that they would be obliged, as the right rev. prelate had truly said, to come to the pockets of the people of England and Wales and Scotland to meet that deficiency. He feared that such would be the case, and he feared that in such circumstances the people of this country would rather than pay that deficiency let it fall upon the clergy; and if it did so turn out, he believed that it would only meet the expectations and fulfil the wishes of one who had been very much connected with this bill. (Hear, hear.) The avowed object of that individual would be promoted, if not accomplished by it, namely, that tithes should be divided into three parts—one-third to be appropriated for the benefit of protestants of every sect, one third to be given to the Catholics, and one third to be applied to civil purposes. He was aware that that proposition had been indignantly rejected by His Majesty's Ministers, but he must say that such a system by the operation of this bill would be greatly advanced towards being finally carried into effect. (Hear.) He thought that the clergy in opposing this bill took a just view of their own interests. He knew that in consequence of the rejection of this measure they would be exposed to great inconveniences. There was no doubt as to that. But if difficulties should arise, they must come to Parliament for relief, and he trusted that under such circumstances, when their distresses were properly laid before Parliament, they would obtain consideration and relief. (Hear, hear.) He believed that their situation would be somewhat improved by the bill which would come into operation in November next, and which would give them greater facilities for the recovery of their tithes. He should be glad if he could entertain any hope of final and satisfactory settlement of this great question. He could safely say that he should have no disposition or prejudice against any measure that would be satisfactory to the clergy and fair towards all parties, no matter from what source it might come, and certainly he should not object to such a proposition coming from His Majesty's Ministers. (Hear, hear.) He must say that the satisfactory arrangement of this question had been greatly impeded by the conduct—by the weakness—by the errors, as the noble viscount called them—and by what he (the Earl of Mansfield) would call the something more than errors of the present Administration. (Cheers.) There was not a successful combination against tithes until some time after the change of Administration in 1830. That statement he was aware had been disputed in that house, but it had been admitted in the other house by a right hon. gentleman then connected with the Government. He thought that a great deal of the success in the combination to resist the payment of tithes had been owing, and was fairly attributable, to the mistaken conduct of the Government. Their non-renewal of the Proclamation Act in the first instance, confessed as it was by themselves to be necessary, was a great mistake. Then came the unfortunate use of the words "extinction of tithes," which, though they had been explained in a manner sufficiently intelligible in that house, conveyed an erroneous impression to the people of Ireland, which impression had been afterwards confirmed in a late speech from the throne. (Hear, hear.) Then there was the prosecution against the hon. and learned member for Dublin—a prosecution which had been commenced somewhat in the spirit of vengeance, and which was afterwards without reason abandoned. The Government almost immediately afterwards conferred upon that individual a patent of precedence. He was aware that that had been defended on the grounds of justice and policy, but he must say that such a proceeding had been always considered by men of impartiality and common sense as a direct and unmeasured premium for agitation. (Cheers.) What could the Protestants of Ireland expect from such a Government, acting in such a manner? (Hear.) What could the clergy of Ireland expect from such a Government,—a Government that had allowed a magistrate who had presided at an anti-tithe meeting still to continue in the commission of the peace? (Hear, hear.) It was necessary for him to revert to what had occurred previous to the introduction of this measure elsewhere, in order to demonstrate the spirit in which it had been framed. The late right hon. Secretary for the Colonies seceded from the Cabinet on the grounds, as stated by himself, that Ministers had in contemplation measures affecting the security of the church: would it be said, now that this measure was before Parliament, that that right hon. gentleman was mistaken in entertaining such apprehensions? (Hear, hear.) Early as conviction came upon that right hon. gentleman he (the Earl of Mansfield) was glad to see it. It read a useful lesson to the country. The very first act of the Ministers after that right hon. gentleman's secession confirmed his apprehensions; they brought forward that commission, of which so much had been heard, and then they introduced this measure. Then came the late changes in the Cabinet, the occurrence of which was clearly in connexion with the conduct of the Government in reference to the Coercion Bill. To make matters still more clear, to demonstrate their animus more obviously, all arrangement was made with the hon. and learned member for Dublin, not a suspension of arms, not a treaty of peace, but an arrangement on the part of Government with that *fidus hostis* of theirs, for the purpose of enabling him to modify his own arrangements on the question. Then was this bill allowed to be altered by one who was the avowed enemy of the church. The noble lord the Chancellor of the Exchequer was beaten by him on that point, but in such a manner as showed that the noble lord did not make the resistance that he might have made upon the occasion (Hear, hear.) He (the Earl of Mansfield) did not wish to say anything harsh of His Majesty's Government, but he must say that even the most sordid love of place (which he did not attribute to them) would scarcely make others envy them the situations which they now held. (Cheers.) He wished at the same time to take that opportunity to defend noble lords on that side of the house, with whom he had the honour and the happiness to act, from imputations that had been thrown upon them. It had been attributed to some noble lords there, that they were actuated by mortified pride and disappointed ambition. (Hear, hear.) If passions so base could take possession of their minds, what greater gratification could they possibly receive than to behold the degraded state to which their political adversaries had now been driven? (Cheers.) Did His Majesty's Ministers know how low they stood at this moment in public opinion? (great cheering)—that public opinion which differed from the noble earl late at the head of the Government,—that public opinion, which, more than the spirit of the age, did regulate, and ought to regulate, the conduct of public men? (Cheers from both sides of the house.) The public opinion to which he was referring was the opinion of those persons to the country who were connected, adventitiously perhaps, but generally connected with property. Of such persons, exercising their reasoning faculties, and attending to their own interests and the interests of the country at large, there did not exist in any country in the world so great a proportion as in this. It was to the public opinion of such individuals that he had been referring. It was by that opinion that the conduct of public men should be regulated, and if His Majesty's Ministers did but know what was said of them by such persons—if they did but know what thorough disgust their conduct had excited amongst them—if they did but know the effects which the withering blast of the hon. and learned member for Dublin's approbation had upon their fame, they would, if not totally reform, do their best to reform the errors into which they had fallen. (Cheers.) The first acts of the present Government had certainly been unfortunate. He trusted that they would do something to redeem their error. He, for one, would give them an opportunity for reconsidering the subject, and he believed that a large majority of their lordships would do so also, by rejecting this bill. The absurd apprehension of a collision would not prevent them doing so. (Cheers.) The House of Lords, feeling it its duty to do so, would reject this bill, and he was sure that act of theirs would be responded to by the great mass of public opinion out of doors. (Cheers.) He trusted that the expression of such an opinion on the part of that house and of the country would have due weight upon His Majesty's Ministers; and he for one would be inclined next session to give every attention to a measure on the subject, especially if it emanated from His Majesty's Ministers. At present, he discharged his duty by conscientiously rejecting this bill. He only regretted that the importance of the subject had rendered it necessary for him to trespass so long upon their lordships' attention. (Cheers.)

The LORD CHANCELLOR said he rose to occupy their lordships' attention but for a short time, while he made a few observations upon the important subject now under their consideration. After the speeches which had been delivered during the evening, all remarkable as they were for that tone of calmness and quietness with which a subject embracing such great interests should be discussed, he was sorry to find the noble earl who had just sat down depart so widely from an example thus universally and honourably set to him. Even the noble baron who had moved the amendment made a speech distinguished for its calmness and its candour, though he (the Lord Chancellor) must say that he differed from all parts of that speech except the one where the noble baron had done so much justice to all the measures of the Government during the last three years. (A laugh.) The noble baron had done so in wittingly perhaps,—perhaps he did not intend it, but it so happened that in this, as in other cases, "out of the fullness of the heart the mouth speaketh." (Laughter.) The noble baron went further, probably, than the tactics of his party would warrant on this occasion; but the tone of the noble baron's speech had been most candid and fair, perfectly well adapted to the great importance of the question, which involved interests connected with, not merely the stability of the Irish church establishment, but the very existence, certainly the subsistence, of the Irish Protestant clergy. He regretted, he repeated, that the noble earl's speech had formed so striking a contrast to that and the other speeches that had preceded his in the course of this discussion. On such a subject as the present he should have thought it impossible for any reasonable man to be carried so away by party feeling as the noble earl who last addressed the house. On so important a question, demanding the most calm and deliberate attention, to have flown off from the immediate subject, to have digressed from it and mixed up with its consideration every party topic, and made a speech personally directing against Ministers and on extraneous matters rather than in reference to the bill before the house—to have acted in his manner, as the noble earl did, had very much surprised him (the Lord Chancellor) and disappointed the expectations which he entertained from the previous conduct of the noble person who had just sat down. He would take leave to deviate from the example set by the noble earl in this respect, and would abstain from following the noble lord into the party and personal topics in which he had indulged, and rather attempt to recall their lordships' attention to the important subject now before them, in preference to meandering with the noble earl through all the foreign and irrevalent matters introduced in the course of his address. He wished to appeal to their lordships' calm and dispassionate judgments, in reference to the merits of the present measure setting aside all extraneous topics. He called on the house, in mercy to that suffering body, the Irish clergy, to pause before rejecting this bill, though he feared, and knew from what the noble earl had said, that he called in vain; nevertheless, as prudent, discreet and dispassionate men, he called upon their lordships' to pause. As respected the merits of the measure he agreed with his noble friend at the head of the Government, that there was no real difference of principles between the bill now under consideration and that originally pronounced by Ministers. The principle of the original measure was to throw the burden of tithes on the landlords, and to terminate the conflict existing between the tithe owner and the peasantry. This was to be done sooner or later, but, at the latest, the object would be effected at the end of a period of five years. Such was the principle of the original bill, and the main alteration in the present measure was one which threw the burden on the landlord immediately, instead of waiting till a certain period had elapsed previously to adopting that course. That was no change in the principle of the bill, but it was, he begged to state, a very great improvement. He came next to the authorship of the measure. If it were said that the persons who proposed or supported it, were individuals of very questionable authority on such matters, he answered that one gentleman, a right hon. baronet, who was an undeniable friend to the established church in England and Ireland, had ridiculed the proposition to postpone the payment for so many years as was originally intended, and plainly said that it would be infinitely better, supposing the principle be adopted, if the charge on account of tithes were made payable by commission at once. (Hear.) He agreed with his noble friend at the head of the Government as to the comparative advantages of this bill over the present law as regarding the condition of the Irish clergy. What was the situation of that body? The Irish clergy had now a right to 100 per. cent. tithe, having their tithe past doubt by law; but there happened to be what was called by lawyers a severance between the tithe and the possession (hear, hear), and the same person who had an undoubted right to 100 per. cent. was often in a situation which required him to combat for merely a moderate portion of his demand. He was out of possession, he had the law with him, and the fact against him. When the state of things existed, lawyers were aware that an ounce of fact was worth a pound of law, and no men felt the truth of the maxim more than the owners of Irish tithe. (Hear, hear.) What was it that Government had done in framing the measure originally, and in afterwards improving it? They said to the Irish tithe-owners, "Instead of standing on your strict right of 100 per. cent. which we know the difficulty, nay the impossibility, of enforcing, causing, as the attempt to obtain it does, bloodshed, every species of misery, disturbance, and civil broils, instead of aiming at what it is admitted you cannot get, and that you if were even to get for one year would next year be most insecure and precarious—instead of this, why not give something for the sake of security and peace, for the means of collection and as a saving of the present cost of collection? Instead of 100 per. cent. you shall have 77*l.* 10*s.*, 20 per cent, for security, and 2*l.* 10*s.* for the cost of collection." That was what the bill said. How many of their lordships' were there who happened to be so felicitously circumstanced as owners of estates, that they would not gladly make such a composition, if they were perfectly certain that as soon as a given day came their rents would be paid in paper as good as gold at the office of the Woods and Forests, without risk of bad debts or expense of collection? How many of their lordships with 100,000 a year of nominal rent, which they were not in actual possession of—how many of them were there who would not think it a good compromise, a most excellent bargain, to receive 77,500*l.* as regularly as the clock struck, in half-yearly payments, in good paper, convertible into gold? (Hear.) It was clear that the church would be benefited by the present measure. "But," said the noble earl who had last addressed the house "how is the landlord to obtain re-payment of the advances which he will make from his tenants?" The answer to this question was extremely simple—if the landlord collected his rent at present, he would be able to collect it in future, augmented by the advances on account of tithe. He was decidedly of opinion that the measure would be of great benefit to the Irish church, and that the Irish clergy would do unwisely and ill, not merely in rejecting but in hesitating to accept it. But he was told that it was not so much the measure itself as its supposed author that was objected to. Were the bill ever so good, ever so advantageous to the interests of church and state, it mattered not, so long as it proceeded from a suspected source. The benefits of the measure only regarded the merits of the case, and the duty of the Government in proposing, and of the Legislature in passing or rejecting it. These were simple considerations, according to the noble earl, who said that the main thing for their lordships to bear in mind was not whether the measure was bad or good, but how and by whom it was proposed. If the bill had been proposed by Ministers, said the noble lord, with overflowing candour and an extreme degree of kindness and compassion, the noble lord having now some one in view whom he hated even more than His Majesty's Ministers (laughter)—if the measure were only brought forward by Government, or if they would bring it back to the state in which it was when they first introduced it into Parliament, I promise to withdraw all opposition as regards it. ('Hear,' and a laugh.) On that we had the noble lord always in this benignant mood! (Laughter.) On that we could be sure all the noble lord wanted was to be satisfied that we were proposing our own measures for the approbation of Parliament! On (continued the noble and learned lord) what reform I should rejoice to see introduced in the next session if this happy, and candid, and liberal disposition of the noble lord were to continue, and if it were not to be secured in the interval! (Laughter.) I pledge myself that no human being should know a tittle of anything—that the measures to be introduced to your lordships should be entirely and exclusively the measures of His Majesty's Government—that your lordships should have Ministerial measures, the whole Ministerial measures, and nothing but Ministerial measures. (Renewed laughter.) I am afraid, however, that the noble baron's kind disposition will not continue till the month of January or February next, before which time, with all my respect for your lordships, I can assure you I have not the slightest wish to meet you here. (A laughter.) He would not speculate however on what might have been the conduct of certain parties if no alteration had been made in the measure originally proposed by Government in the House of Commons. At the same time, he must say that he could not help thinking that even in that event, a few words might have been altered in their lordships' house, and that the discussion of the measure would not have been quite so easy and undisturbed in the present, as it now seemed from the noble baron's declaration they must be in the preterpluperfect tense. ("Hear" and laughter.) What a man did—what language he held—what course he adopted in a given case, we knew; but what he would or could have done in a contingency, or under circumstances of a different nature, it was impossible to tell—perhaps the individual himself did not always know. (A laugh.) He repeated he had a strong suspicion, even if no change had been made in the bill in the other house, that they should, nevertheless, have had some words on the second reading in the lords, and a little discussion in committee, provided the measure had reached that stage. ("Hear," and laughter.) He said this the rather because he had not heard a single word against the bill to which the original measure would not have been equally obnoxious. Then, forsooth, a measure was to be passed or rejected, embraced with open arms or repudiated with contempt and fury, not according to its own merits, but on the merits of an individual who had proposed one or two material alterations, and, as he (the Lord Chancellor) thought, amendments in the bill. Their lordships had heard a little about degraded public men—base Ministers, who were sunk low in public opinion, and who ought to be degraded and humiliated in their own eyes; but he could not fancy a more humiliating posture than that of individuals who admitted that a certain man had only to propose a thing, however good or desirable, to make them reject it unconditionally, and without reference to its intrinsic merits. Let an objectionable person say "You profess to be friends of the Irish clergy, confer upon them a boon," and straightway those wise and dispassionate individuals would refuse to confer such boon because of its suspected proposer. (Hear.) A man whom you disliked had only to say "Save the country from civil war," in order to make you reject the suggestion. The answer of this class of legislators and politicians was ready and simple; it was this—Am I to degrade myself by taking a leaf out of Mr. O'Connell's book—shall I permit him to dictate to me?" Ah, but he did dictate to you, and the only difference between you and those who were willing to take the benefit of a hint from Mr. O'Connell, when the suggestion appeared beneficial,

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was, that in the one case we took the thing honestly, directly, and in a manly way; and in the other case you took the law from him, it was true but—how? as a pouting boarding-school miss took or did any thing, not because she ought, but because her maid or governess bade her not.

'Hear," and laughter.) He (the Lord Chancellor) was one of those who when they thought Mr. O'Connell's conduct such as called for censure, did not hesitate to apply it. No man had spoken his opinion respecting that learned gentleman more openly or decidedly, painful as it was to do so, when he felt it his duty. But although he had occasion to disapprove and blame, and lament Mr. O'Connell's conduct as mischievous to Ireland, although he did not fail to censure and deplore it, feeling it to be unworthy of that individual's great talents and acquirements, which he was always ready to do justice to, he had not entered into a bond with himself to make Mr. O'Connell the rule by contraries of his conduct, and to adopt or reject any course, simply because that gentleman was for or against it. He looked to the merits of measures, and felt it to be his duty to consult the good of the realm, and advise his Sovereign "those things that belonged to his peace," and which were calculated to promote the prosperity of his dominions; and acting upon this principle, if he knew a proposition originating with Mr. O'Connell to be beneficial, he was neither so vain as to reject it, because it was not contained in his own plan, nor so frantic, or such an idiot, as to refuse to adopt it, because the conduct of its author was not such as he had been able altogether to approve. Barring the chance of an inference of any private intercourse or bargain between Mr. O'Connell and the Government, he should say, that so far from an amendment of that learned gentleman being objectionable on account of its source, if he approved of the proposition on its own merits, looking to the peace of Ireland and the good working of the measure, the origin of the suggestion would with him be an additional reason for receiving it with open arms. (Hear.) But the noble earl must step three years back for the purpose of bringing a charge against the Irish Government and Councellor, for giving a silk gown and a patent of precedence to Mr. O'Connell. Since when, he asked, had it been the law that a gentleman whose learning, talent, experience, and standing, placed him at the head of his profession, was not to receive common justice? Since when had it been the rule with Councellors to refuse what was a matter of course, and a matter of justice, on account of an individual's conduct not in his profession wherein he was without reproach, but simply because in politics he differed from the Government? The profession of the law would reject with indignation a principle which tended to enslave its members, and make them tools of Ministers. The rank which had been conferred on Mr. O'Connell was the right of others as well as of himself—of his clients, of his brother barristers, and of the courts of Justice—of his clients, whose interests where concerned; of his brethren at the bar, who had also an interest in his promotion and of the courts whose business it was impeded for the want of it. He (the Lord Chancellor) was himself was an instance of the spite of some miserable, petty, wretched intriguer—of some foul and vile slander, —of some contemptible miscreant whom he would not condescend to name, and who had so far used his base influence against him, in common with his noble and learned friend the Chief Justice of the King's Bench—an individual whose elevation to his present station, on that account, as well as because of his merits and virtues, which had excited the love and admiration of the profession, constituted the proudest moment of his (the Lord Chancellor's) life—he said, that in consequence of the efforts of parties who wished to gratify their spite against individuals simply for doing their professional duty, politics and party pretences were made the grounds of keeping his noble and learned friend and himself out of their just rank in their profession. No person felt that more than his noble and learned friend than on the woolsack, on whom he (the Lord Chancellor) had never cast the slightest blame. However, 10 or 11 barristers had been all but ruined by the course then taken. Those gentlemen were some of them made judges by way of compensation, but they had first lost their practice simply because they happened to be his (the Lord Chancellor's) seniors at the bar. He found those gentlemen in good practice when he first went the circuit, but they were after a while left without a single brief, because he could not lead them. In like manner Mr. O'Connell stood in the way of his seniors, and his elevation was due as a matter of right, not merely to himself, but to other members of the bar, to his clients and to the courts. But to leave this subject, and to return to the question before the house, he would entreat of their lordships to consider the consequences of the rejection of the bill. By this bill the clergy would be secure of getting, year after year, 77.. 10s. out of the 100.; that, perhaps, was not all they were entitled to, but it was clear that that was all that could now be done. He wished and hoped that more could be done, but his wish and his hope went further then the prospects of the case could realize. He would oppose every attempt at resisting the collection of tithes (hear, hear), but he marvelled that the Irish clergy opposed this bill, as it was said by a right rev. prelate they had done. He believed it was the opinion of right rev. prelates that if this bill was rejected, there would be no support for the clergy of Ireland, so far as the right rev. prelates had stated their opinion. "But (said the noble and learned lord) I am bound to consult the interests of the church, and in voting for this bill I do so. How do I know what spirit of party may be raised in Ireland against this bill? How do I know that at this moment the most mischievous lawyers are not at work to defeat the great object of our anxieties and our cares? How do I know what spirit of fanaticism, or folly, or worse, may not be in action now to destroy a great and good measure? How, in my want of knowledge of these matters, am I to say that, this bill, which is a bill of mercy to the clergy, should be thrown out—how, I ask, am I to know what is to be done? Where will the clergy find relief? The Government, I admit, will do all they ought to do in Ireland to enforce the law. It is their duty to do so. But there is a point beyond which they cannot go." The law could not break open people's doors. The law could not lay hold of cattle which were not in the fields; nor could pigs or corn be seized under similar circumstances. The tables and chairs and other miserable furniture might be in a dwelling-house; but he would say that while the Government could enforce the law and prevent a "rescue," one thing must be clear that they could not compel the people "to buy!" How, he should like to know, could the clergy repay the Government advances if this bill were not agreed to? Why, it was clear, if the clergy had advances made to them, their private estates would be liable for them at common law as well as their church perferments. But again, suppose this bill thrown out, and what would be the result?" He almost feared to contemplate it. Were their lordships, he should like to know, under such circumstances exercising their high prerogatives—their noble functions? Were they doing all they ought to do for the good of their country." The country would not forget what their lordships had done, or would do; and having stated his firm belief that this measure should pass into a law for the good of the clergy and the peace of Ireland, he would wash his hands of any opposition to it. In opposing this bill, their lordships were running a great and serious risk—a risk the amount of which he was afraid they did not exactly calculate. Supposing, and he took it only as a supposition, that the most rev. primate of Ireland should be wrong, and the Irish clergy in resisting this bill should be wrong, and that he (the Lord Chancellor) should be right, what, he should like to ask, would then be said? It was very easy for noble lords to say, "Mr. O'Connell shall not dictate to me. Saying that was very safe indeed, but what was to be said at the other side of the question? It was very true their lordships could vote by proxy, but they could not be told by proxy, especially in the case of the Irish clergy. If the bill were not suffered to pass, the result would be, that the Irish clergy must starve, while their lordships would not do right because Mr. O'Connell recommended it. This, he would say, was not a dignified course for their lordships, house to pursue upon an occasion so important as the present. One word as to the noble lord's tirade on the unpopularity of His Majesty's Ministers, and the odium into which they had fallen, so that it was painful to hear those who were well disposed towards them attack them. The persons whose animosity they had most to combat were their own friends, who said they did not go far enough. This was followed up by the assertion that the chief of those who had been formerly discontented came to wither Ministers with the blight of his malignant approbation. Take it for granted that Ministers were as unpopular as it was possible for Ministers to be, and as unpopular as the noble lord would wish them to be—take it for granted that every measure they proposed was disapproved of that the representatives of the people placed no confidence in them—then he could only say that there was a great floating fund of popularity somewhere (a laugh) —a great mass of public favour without owners —and a love towards statesmen unnamed and unborn. (Laughter.) Take it for granted that Ministers had not the approbation of their contrymen, that Mr. O'Connell had it not; had the noble lords who sat on the Opposition said of the house got it? (Loud laughter.) He was in the same boat with them, they were all equally unpopular; who then was the happy minister who was to command all voices for whom the eyes of the country longed, whom the hands of the country were stretched out to receive? He would take upon him to say that if he was not upon one side of the house, it was in vain to look for him upon the other. Upon the merits of the measures he proposed he (the Lord Chancellor) would stand or fall with his colleagues. He should continue to serve his King as long as His Majesty called for that service. He should continue to serve his country until he had other testimony than the noble lord's assertion that he had lost the confidence of his fellow citizens; and, standing upon the measures of which he might be either the author or supporter, he would appeal with unabated confidence to the verdict of that country.

DEATH OF SIR JOHN DOYLE.

This gallant officer died a few days since at his residence in Somerset-street Portman-square. His military career was one of high reputation. He entered the service by the purchase of an ensigncy in the 48th Foot in 1771. In 1775, he embarked as Lieutenant with the 40th Foot for America, where he served in all the campaigns of that period, having received a wound in action. In 1778 he obtained a company in Lord Rawdon's corps, "the Volunteers of Ireland" (afterwards 105th, Foot), and purchased his majority in it in 1781, having been twice wounded while serving with that regiment. The regiment was reduced in 1784, and having returned to his native country, Ireland, he remained on half-pay until the commencement of the French revolutionary war, at which time he raised the gallant 87th regiment, "the Royal Irish Fusiliers,", in the command of which he embarked for the continent with Earl Moira. He served under the Duke of York in the campaign of 1794, and repulsed an attack of the enemy at Alost, where he was severely wounded. In 1796 he got the colonelcy of the 87th, and was sent in command of a secret expedition into Holland, and on his return was appointed Secretary of War in Ireland, and afterward, several as Brigadier-General in Gibraltar, Minorca, and Malta. He volunteered his services to Egypt, and accompanied General Hutchinson (the last Earl of Donoughmore) in the expedition against Grand Cairo. His services here received the thanks of Parliament, and he was in 1804 appointed Lieutenant-Governor of Guernsey; created a baronet in 1805, with liberty to have supporters to his arms, and an additional crest. In April, 1808, he was appointed Lieutenant-General; in 1812, K. B.; in 1815, K. G. C. of the Bath (a vacancy in which Order is caused by his death); and in August, 1819, the brevet of General. It will be only necessary to enumerate the distinction borne on the colours of Sir John's regiment, to show the nature and extent of his services;—"Barrosa, Tarifa, Vittoria, Nivelle, Orthes, Toulouse, Peninsula, Ava." By Sir John's death the colonelcy of the regiment he so long commanded becomes vacant, as well as the governor-ship of [illegible] Sir John Doyle was in his [illegible] born in 1756.—*Times*.

OF PHYSICIANS.

PHYSICIANS appear to be less unfavourably situated than their brethren of the bar and of the church; for we may be friendly and virtuous without depriving physicians of their livelihood. Yet are they also, to a certain extent, viciously situated.

It is a very common opinion that men and women cannot be trained to be their own physicians; and it is probable that there are cases of rare or complicated disease, or of dangerous accident, in which the experience gained by extensive medical practice, may be necessary to suggest a remedy, or to perform an operation. But in nine cases at least, out of ten, a very moderate acquaintance with the human body, and with its functions, and with the causes that impire, and the precautions that preserve these, would enable us with ease, to cure, or—yet better—to prevent, the unsceme indisposition. This is a fact which has repeatedly been acknowledged, both in private and in public, by the most eminent physicians. And its accuracy is the less to be doubted, inasmuch as it is notoriously the pecuniary interest of physicians to conceal it.

Admitting, then, its truth, how injurious the ignorance in which children are kept, of what it most concerns them to know! And how desirable, that a few, at least, of the days and years that are spent in learning the languages and the customs of two semi-barbarous nations of antiquity, should be devoted to learn that, the knowledge of which, will advantage us every day of our lives.

But however desirable for the mass of mankind, that they should be taught how to retain that first of blessings, health; and that they should further be taught how to regain it, when lost;—it is not the interest of the physician. It is not his interest, that his neighbours should know any thing about their own bodies; it is not his interest that they should be taughthow to retain their health, nor how to arrest an incipient malady by some simple remedy. Other men's ignorance is his gain. Their follies fill his purse. If they were educated as common sense dictates, he would be a poorer man. If they knew that they ought to know, his knowledge would turn to less account. Common sense, therefore, is, in a pecuniary point of view, the physician's enemy.

Again, how important is it that men and women should know the consequences of excess; and that, knowing these, they should not be tempted to act against their knowledge! How inexpressibly important that there should be no gin-shops, nor any of those houses—the bane of great cities—where popular morality abandons to disease and death, its outcast victims!

Yet it is the physician's interest that all this should go on. Intemperance is his patron. A debauch is a harvest for him. Gin-shops and brothels make him a rich man. Each ruined constitution brings him a customer and a fee. He may doubtless he does, lament all this; but he must be more or less than man, if he does not feel that he lives by it.

The physician knows that the customs and the morality which are now popular, produce both vice and disease. The honest and enlightened physician will tell you so. He will tell you, that monkish chastity and brutal license, are equally the causes of misery and disease. He will tell you, that health and peace of mind, are to be found in moderation only, and that *extremes* have filled his consultingroom and his purse. Ask him how it happens that so many of the young and unmaried of both sexes appear on the list of his patients; and he will tell you of the prudish severity with which society dooms one sex to unnatural restraints, and of the temporizing injustice with which she winks at the scarcely-veiled libertinism of the other. Ask him what he thinks of the professions of the popularly moral; and he will tell you that they are commonly as hollow, as the reality of these professions are unnatural and pernicious. Ask him what he thinks of orthodox morality, in itself; and he will tell you, that, as a physiologist, he disapproves and condemns it. But, as a physician, he profits by it; unwillingly, indeed, if he be an honest and a worthly man, but yet positively and certainly. If society's customs, and society's morality, encouraged moderation in all things and discountenanced, not whatever was opposed to her capricious etiquette, but whatever was opposed to health of body and tranquillity of mind—men would be happier and better; but physicians would lose their practice.

However beneficial, therefore, it might be that we should know our own diseases and learn to prevent and to cure them, we mus not expect that physician, as a class, will take much pressure to destroy their own avocation. We must not expect them to tell us (however well they know it) that we are the best judges of our sensations; that we can detect symptoms in ourselves that are hidden from them; that we have the most experience of our own constitutions; and that to *even with an inferior knowledg of medical sience* we can prescribe much more readily and rationaly for ourselves, than any other period can forus. We must not expect that physicians will risk at once their reputation and their fortunes, in order to tell us, that if we were but national and pratical physiologists, we should regret the morality which now prevails as unnatural and productive of suffering vent disease. All this it were unreasonable to expect, because men do not like to ruin themselves or even to deminish their own earnings.

If we wish to make it the interest of physicions that mankind be temperate, prudent rational, and healthy, let us pay them, like the medical atendant of the Chinese Emperior, in proportion as we escape desease; but if we desire to make ourselves independent and useful inteligent, let us go still fatther. Let us recollect, that to be a practical physiologist, is incomparably more important, than to be a latinist or a greekling. If we are too old to learn, let us give our children a knowledge of themselves; let us bid them attend carefully to their own sensation; let us gradually make them their own physicians. We shall not then see them first ruining their own constitutions, and then paying to have them patched up again. We shall not see them tempting disease and death with their eyes shut, and horror struck when at last they discover the natural consequences of their conduct; ignorantly imprudent to-day, and weakly apprehensive eliciting prescriptions the next. As, when we are our own physicians, would our diseases decrease.—*The Crisis*.

BIRTHS, MARRIAGES, AND DEATHS.

(From Galignani's Messenger, August 16,)

BIRTHS.—Of Sons: At Bludon House, Somersetsaire, the lady of T. G. Gardiuer, Esq.—At Salthorp Lodge, Wilts, the lady of J. B. Phillipson, Esq.—At Hammersmith Mall, the lady of Capt. C. Newport—In Connaught-square, the lady of Capt. G. Probyn—In St. James's-square, Lady J. Thynne—At Littlecot, East Dulwich. Mrs. Walter—In Dublin, the lady of the Rev F. Edgeworth—At Edinburgh, the Lady of W. Curystie, Esq—At Edinburgh, Mrs. Forsyth.

OF DAUGHTERS: At Ashford Lodge, near Petersfield, the lady of F. Bean, Esq.—At Stamford-hill, the lady of G. Attfrey, Esq.—In Hackney-road, the lady of T. Rayner, Esq.—At Portsmouth, the lady of Major F. Hope—At Molesleya-grove, Surrey, the lady of W. Ponnell, Esq.—At East-land, County Waterford, the lady of P. G. Barroo, Esq.—At Edinburgh, the lady of [illegible] Veitch, Esq.

MARRIAGES.—At Wilton, Norfolk, J. D. Chambers, Esq., to the Hon. Henrietta Laura, daughter of Lord Wodehouse—Lieut.-Col. W. H. Kenner, to Charlotte, daughter of the late J. Dolbel, Esq.—Lieut. Col. Gascoigne to Miss Caroline Leigh Smith—At Preston, R. M. B. Maurice, Esq. to Judith, daughter of the Rev. H. Cripps—E. S. Harrison, Esq. to Eliza Sophi, daughter of the late J. Hume, Esq.—Mr. R. Marchant, to Anne Elizabeth, daughter of T. Jennings. —Mr. J. G. Boys, to Marry Ann, daughter of G. Chambers, Esq.—Capt. Harward, R. N. to Miss Julia Halsted—At Hertford. N. R Young, Esq. to Ann, daughter of Mr. F. B, Searle—E. Webster, Esq., to Hannah, daughter of the late R. Ainsworth, Esq.—At Lauderford, Capt. W. H. Trotoppe, to Maria Arthur, daughter of J. A. Worsop, Esq.—C. F. Mackenzie, Esq. to the Hon. Elizabeth Ferguson—At Monston, J. Malcolmson, Esq., to Rebeca, daughter of J. Pim, Esq.—At Kilbeacon, the Rev. J. Walters, to Samina, daughter of the late Major Tomkins—At Melrose, Mr. D. Stewart to Sophia, daughter of the late Dr. J. Stedman—At Concraig, Mr. J. Ramsay, to Jane, daughter of Mr. Ewing—J. Renwick, Esq. of Jedbank, to Christian, daughter of the late Mr. E. Maccall, of Edinburgh—At Lochhead, Argylishire, the Rev. R. B. Thomson, to Miss Catherine Campbell.

DEATHS.—At Newton Stewart, M. Knott, Esq.—At Rousham, Margaret, widow of the late Sir C. Dormer, aged 74—William, son of G. M. Caswell, Esq., of Canterbury, aged 19—At Taplow, Harriet, wife of D. Campbell, Esq.—Francis Norman, son of Major E. Brackbury, of Skendleby—At Bath, Mrs. Banbury, aged 82 —W. Crawshay, Esq., of Stoke Newington—At East Bourn, Sussex, Mary Susanna, daughter of D. Gilbert, Esq.—At Oxford, Elizabeth, widow of the late Mr. T. Eaton—At Woolwich Mr. B. R. Gregory—At Kennington, common Mrs. Heaton aged 59—At sea, Mr. G. Malcolm, of Todenham, Gloucestershire—Harriet, wife of W. Cook, Esq. of Woodbary Down—A Whithyham, Sussex Alicia, wife of the Rev. S. Bale —At Stowlangtoft Hall, Suffolk, Mary Fuller, wife of H. Wilson, Esq.—At Woolwich, Sarah Ann, wife of J. Reid, Esq. In Queen Anne street, Arthur Spencer, son of A. Currie, Esq.— At Maidenhead J. Milner, Esq. aged 75—Elizabeth Stuart, sister of the first wife of the late Sir J. Mackintosh—At Margate, F. N. Hinchliff— At Stepney, W. Gregson, Esq. aged 62—At Clerkenwell, Maria Parsent, daughter of Mr. H. F. Turner—At Upper Caldicott, Mr. E. Inskip.

DOMESTIC GAZETTE.

UNCLAIMED LETTERS IN THE GENERAL POST OFFICE.

Post Letters.

1 Capt. Leddell, 1st regt. light cavalry.. ....Bombay.
1 Lieut. J. B. M. Gillanders, 26th regt. Bombay N. I. in progress to Malligaum...
1 R. Cole esq. 11th regt, N. I.....
1 Mrs. Charlotte Maria Hudson, widow ..... ditto
1 Mr. Samuel Bull, care of Mrs. James Taylor or Capt. T. L. Wood..... ditto.
1 Capt. Day, 20th regt..... ditto
1 Line serjeant Eagan..... ditto
1 Capt. G. W. T. Whittle, artillery..... ditto.
1 Manockjee Muncherjee ..... ditto
1 Capt. Keith's servant Raman ..... ditto.
1 Walljee Dharsey..... ditto.
1 Meerza Ally Askur Sheraz..... ditto.

DOMESTIC OCCURRENCES.

DEATH.

On the 5th instant, at Boo, deeply and universally lamented, Lt. and Qr. Mr. Annesley of the 15th Regiment, nephew of the present Earl of Annesley.

The deceased was a young man, whose amiable and polished manners, sociable qualities and varied acquirements, endeared him to the Regiment and society in general,—aided to which he was a benevolent man and an active and intelligent officer—the fortitude with which he bore his last illness was as conspicuous as his other good qualities.

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Lieut. B. Whichelo, Assist. Commissary-General, from Ahmednugger.
Capt. M. Stack, Auxiliary Horse, from Seroor.
Ensign R. H. Young, 2d Grs., from Sholapore.
Lieut. P. W. Clarke, 2d Grs. from ditto.
Captain H. G. Roberts, Asst. Resident in Cutch, Cutch.
Lieut. John Willoughby, 25th Regt., from Dapoo

DEPARTURES.

Major C. Payne, 16th Regt., to Surat.
Lieut. and Qr. Mr. Haselwood, 4th Regt, to Ahmednugger.
Capt. F. P. Lester, Artillery, to Poonah.
Lieut. Smith, Queen's, to Europe.

SHIPPING INTELLIGENCE.

ARRIVALS.

Jan. 23rd. Ship Otterspool—Richardson Master, from Liverpool 26th August.
Passenger.—J. A. Fielding.

DEPARTURES.—NONE.

SHIPS LOADING.

For London.—Lady Raffles, Palmira, and Triumph.
Do. Clyde.—William Nicol.
Do. Mocha.—Discovery and Futtay Rahimon.
Do. Juddah.—Mecca.
Do. Pinang.—Gopall Crustna.
Do, Malay Coast.—Hamoody

VESSELS IN THE HARBOUR.

H. M. Ship.—Melville, 74 Guns.
H. Co's. Receiving and Guard Vessel.—Hastings.
Do. Do. Sloop of War.—Goote and Ternate.

FREE TRADERS.—William Nicol, Lady Raffles, Lady Gordon, Triumph, John Marsh, Palmira, Otterspool, and Majestic.

COUNTRY SHIPS.—Mecca, Discovery, Futtay Rahimoo, Charlotte, Charles Forbes, Gopall Cristna, Hamoody, Futtay Salam, Sophia, Lord Castlereagh, Hind, Helen, Cornwallis, Nassery, Grab Petamba, Savoy, Soobrow, Shaw Byramgore, Schooner Hamed, and Brig Ransord Pursad.

America.—Lady Sarrah.
Portuguese.—St. Anna.
Brazalian.—Amizade.
Arab.—H. H. the Imaum of Muscat's Ship Futtay Kurrim, and Attite Rahimon.

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